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BUREAU OF EDUCATION.

CIRCULAR OF INFORMATION NO. 4, 1893.

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ABNORMAL MAN,

BEING ESSAYS ON

EDUCATION AND CRIME AND RELATED SUBJECTS,

WITH

DIGESTS OF LITERATURE AND A BIBLIOGRAPHY.

BY

ARTHUR MACDONALD,
SPECIALIST IN THE BUREAU OF EDUCATION.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1893.

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LETTER OF TRANSMITTAL.

Department of the Interior,
Bureau of Education,
Washington, D. C., January 19, 1893.

Sir: I have the honor to submit herewith for printing a circular of information on the subject of "Abnormal Man," the same being a discussion of education and crime, together with some account of the literature of the subject, prepared by Dr. Arthur MacDonald, the specialist in this Bureau engaged in investigating the subject of education as a means of preventing crime and pauperism. To throw light upon any given subject it is necessary first to take account of its facts and in the next place to consider these in their relations to the facts of all other provinces. Crime and pauperism have to be studied with reference to drunkenness, the use of opium, insanity and other nervous diseases, idiocy, genius, suicide, the collection of people in the slums of cities, etc. No one can tell in advance the quarter from which the most important discoveries will come.

This epoch is characterized by the growth of cities. Peculiar problems arise, and no one of these problems is more important than that of dealing with the population consisting of the three weakling classes—the criminals, the paupers, and the insane. For the weaklings tend to collect by themselves and form slums wherein the educative influence of the family and social life is all-powerful to continue the youth in the same lines of unthrift and crime which his parents have followed. Hence the importance in our time of educational treatises which, like the one herewith transmitted, deal with the management of the abnormal classes of society.

Very respectfully, your obedient servant,

W. T. Harris,
Commissioner.

Hon. John W. Noble,
Secretary of the Interior.

PREFACE.

For the convenience of those who are interested in questions concerning the abnormal classes, and their moral, intellectual, and physical education, the author presents in book form a number of his writings, consisting of essays, and of digests of foreign literature, which have appeared in different periodicals.[1] Most of the matter, however, has been changed and added to, and much of it is published for the first time. In the digests of literature the endeavor has been to select some of the leading European specialists of the different schools of thought and give the substance of their ideas. In doing this the writer has *temporarily* taken the point of view of the author of each work, avoiding criticism, so that the reader may gain a clear insight into the spirit and scope of the book reviewed.

The bibliography has been made from a selection of a large number of titles. As far as the author is aware, no such bibliography exists in any language, and it is hoped, therefore, that it may serve those who especially desire to make independent study of any phase of the subject. As is frequently referred to or suggested in the essays, education[2] in its relation to the different forms of abnormality is regarded by the author as a remedy. While certain forms of abnormality as genius and talent are desirable, the larger number, such as criminality, pauperism, insanity, etc., are not. One of the main objects of education is to eradicate, or at least modify or correct, unfavorable tendencies in mind, will, and body. The vital relation of education, therefore, to these social evils is evident.[3] But the reader may inquire, Why not treat more of education, the remedy, than of these evils, which constitute a social disease? This indicates a mistake that is too often made; it is to experiment with a remedy before the cause of a trouble has been thoroughly considered. It is true that it may be impossible to determine the real cause, but this is no excuse for omitting the search for a cause, since negative results will avoid false applications of the remedy and be of great service in subsequent inquiry.

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[1] La Scuola Positiva, Rome, Italy; Revista General de Legislación y Jurisprudencia, Madrid, Spain; Journal of Mental Science, England; American Journal of Psychology; The Arena; Andover Review; Yale Review; Medico-Legal Journal, New York; The Independent; The Summary, Elmira; Columbia Law Times, New York, Open Court, Chicago, and the National Review, London.

[2] See under "Education" in index.

[3] See "Social Pathology and Education" in Report of the Bureau, 1889–90, Vol. 1.

Detrimental forms of abnormality come under the general head of "Social Pathology,"[1] which refers to all classes of individuals who, from mental, moral, or physical defects, are dependent upon or injurious to society. The purpose of investigations in social pathology is not to decide at the outset whether or in what degree the individual or society is at fault, but to analyze the antecedents or causes of social disease as a necessary preliminary to its prevention or amelioration. Since education concerns the moral, mental, and physical development of individuals and society, it bears directly on those pathological elements that tend to social degeneration. As there is no specific for any of society's diseases, the general remedy is to implant and develop in individuals (the earlier the better) such mental, moral, and physical habits as will serve to prevent or lessen delinquency, dependency, or defectiveness. Such a therapeutical method is distinctively educational.

The present work may perhaps be considered as an introduction to abnormality in general, giving a description, diagnosis, and synthesis of human abnormalities, which seem to be constant factors in society.

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[1] "Social Pathology" is here used instead of the usual term "Social Science," which is broader, including both normal and abnormal.

CHAPTER I.

EDUCATION AND CRIME.

It is an undisputed fact that the moral side of education is as difficult as it is important. This becomes most apparent in the education of the dependent, weak, and criminal classes. Any educational system that can succeed here, can with slight modifications succeed in the community at large, for all men have tendencies, however slight, towards these defects; but, by force of character or surroundings, the great majority have been able to resist to such a degree as not to fall.

But it may be asked to what extent methods of education for normal individuals may be adapted to those who are abnormal. An individual may be said to be abnormal when his mental or emotional characteristics are so divergent from those of the ordinary person as to produce a pronounced moral or intellectual deviation or defect. To distinguish such abnormality from disease is difficult, if not impossible; but in general an abnormality is called disease as soon as it reaches a certain degree; but it may also be an excessive degree of the normal, just as in the physical man in a single diseased cell the normal or physiological processes are not changed in kind, but only in degree, or simply act at an inappropriate time. In general it may be said that, while all diseases are abnormal, not all abnormalities are diseases. The fact that the same functions are involved in both normal and abnormal processes (psychical and physical) is one explanation why the same methods of education are found applicable to both.

CLASSES OF SOCIETY.

If, then, the average man in the community is taken as a normal type and individuals are classified according to their degree of likeness or unlikeness to him, there will result in general the following divisions:

(1) The normal class of individuals, who greatly exceed all other classes in number; these in every community constitute the conservative and trustworthy element and may be said to be the backbone of the race.

(2) The dependent class, as represented in almshouses, hospitals, asylums for orphans and the homeless, and similar charitable institutions. According to the census of 1880 in the United States the whole number of such individuals, for example, amounted to 123,626.

(3) The delinquent class, as found in all penal and reformatory institutions, which, according to the same census, amounted to 70,077.

(4) The defective class. Here belong the insane, feeble-minded, idiotic, and imbecile, amounting in all to 168,854; and also the deaf, dumb, and blind, numbering 82,806 in all.

(5) Men of genius or great talent.

The total number of these first four classes in the United States for 1880 was 445,363. This, of course, is far below the reality, since many are not sent to the institutions from which the census is taken. It will, however, give an idea of the comparatively small number of distinctively abnormal individuals, that is, less than half a million out of fifty million inhabitants. It is surprising that so small a part of the community can cause so much trouble, danger, and expense. But it is in a social mechanism as in a mechanical, where one little part may throw the whole into disorder. Yet the importance of this part does not lie in itself, but in its relations to the others. Thus one crank or one criminal can throw the whole community into excitement, often causing great injury.

The delinquent classes approximate nearest to the normal type, for the majority deviate principally in one respect, that is, in a weakness of moral sense which gives away to temptation; this is the most harmful deviation, both for the individual and society, and the community justly regard these classes as their greatest enemy.

While the dependent classes owe their condition directly or indirectly to either alcoholism or improvidence or general mental or physical incapacity, their abnormality may be regarded as more distinctly social than in the case of the other classes.

The insane and feeble-minded are the largest in number and vary the most from the normal type. The one is an exaggeration of mental faculties due to cerebral irritation; the other is a diminution of mental powers; or both exaggeration and defect may coexist. Feeblemindedness, idiocy, and imbecility may be due to an immature or arrested development.

There is a natural objection to calling the deaf and dumb and blind "defectives," since the public are liable to suppose that this term applies to the mental capacity, which in many cases is not true. Yet the popular prejudice is not wholly unfounded, for anyone deprived of such important senses is so far hindered in opportunities for knowledge. It must be borne in mind also that a considerable number of the feeble-minded are deaf and dumb or partially so.

The division of the abnormal classes into dependent, delinquent, and defective, while by no means exact, is as convenient as any perhaps.

Any exact division is manifestly impossible for the defective and delinquent are generally dependent and the delinquent are often defective, and *vice versa.*

The difficulty of obtaining the number of all those who belong to the special classes is unavoidable. Thus the delinquent class are the most desirous to conceal themselves. As to the insane, there are many such in the community who are not referred to as such, because they are harmless. Many families seek to conceal insanity and idiocy. On the other hand, there may be exaggeration in the number of the poor, for some claim to be in poverty in order to receive help. There is also a tendency to exaggerate evil or misfortune in order to bring out a more liberal sympathy or there is unfortunately a morbid desire to picture the world in its darkest colors.

TEACHING OF PRACTICAL MORALITY.

From the point of view of society, the importance of these classes is not according to their number, for the delinquent are the most injurious and costly. This is evident when one considers the time they require from the police, detectives, and courts. There is much to indicate that the sociological problem involved in the delinquent and dependent classes is at its foundation an educational one. Teaching of practical morality in such a way as to form good habits in the young is doubtless the surest preventative from a criminal career. A general criticism of educational systems is that they are little developed on their moral side as compared with the intellectual. Perez says that the business of education should be much more concerned with the habits that children acquire, and with their wills, rather than with the moral conscience. The latter is the blossom that will be followed by fruit, but the former are the roots and branches. While the moral and intellectual sides of education necessarily exist together, yet society is most solicitous about the former, for an individual may be a good citizen with little instruction, if he has sound morality; but the reverse is not true.

There is a special difficulty in teaching even a minimum system of morality, for the disideratum consists not only in inculcating general principles, but by indicating courses of conduct in detail. Generalities elevate the moral tone, but details incarnate the principles. A definite course of conduct is needed, yet broad enough to apply to the average individual. In the province of personal hygiene there is much to be done, but nothing should be taught unless sanctioned by the most competent medical authorities. One cleanly habit established suggests others; a beginning, with a few details, is much more impressive than generalities.

Society teaches many of these things by occasion, when the poor are brought into hospitals and made conscious of what cleanliness signifies, or when the board of health forces this idea upon the community. Many children are taught, for the first time, lessons of cleanliness upon entering institutions for the weakling classes, where the good effects are seen; so that it is as true as it is paradoxical that some of the enemies of the State are receiving a most practical education from the State. This, however, has its justification, since the weak need more aid than the stronger, but this weakness may have been due to the neglect of such education at the outset.

The inmates of institutions for the delinquent and dependent differ little or none at all from individuals outside. The excellencies and defects of an educational system can be carefully studied in these institutions, for all are under the same conditions and can be controlled in all details of their life. In addition to the practical value of the experience of these institutions there is a deeper one. One of the main objects of education is to eradicate or modify undesirable tendencies and to develop the favorable ones. Here is an opportunity for the rational method of treatment, which is, first, to study the unfavorable characteristics, and, second, to investigate their causes as far as possible. Knowledge thus gained will be the most reliable in correcting evil tendencies or preventing their development. By such a method no sudden results should be expected; gradual progress is all that can be hoped for. A thorough study of this nature in penal and reformatory institutions is possible; the effects of the method of education can be closely observed physically, intellectually, and morally. Thus, when, for instance, an inmate ceases to reverse his drinking cup after using it, which is required for purposes of cleanliness and order, this, though a very slight thing in itself, indicates that he is becoming careless and losing his will power to reform. By a sort of radiation other negligences are liable to follow, confirming the direction in which he is tending. A good report from his keeper, on the other hand, can signify a new resolution of the will. Thus a series of records indicate, so to speak, the moral and intellectual pulse of the inmate. What might seem a very slight offense outside of a reformatory institution is not so within, where there is a minimum of temptation to do wrong and a maximum of continuous restraint to do right, so that there may be a gradual education in the formation of good habits which are the surest safeguard to the inmate after his release.

It is important that institutions for the criminal and weakling classes strive to gain as much knowledge as possible of the life of the inmate previous to entering the institution, to keep a minute record of his conduct while under their care, and especially to follow his career afterwards, thus imparting useful knowledge to society at large. For, if there is to be any advancement in the treatment of the weakling classes by educational methods, it will lie in the direction of the study of the inmates themselves. The institutions should afford facilities for such study, the very object of which is to furnish a trustworthy foundation for the prevention and repression of delinquency and dependency. If the cure is possible only to a certain degree, the approximate determination of this degree would be of great practical importance.

But if it be objected that, after all, much that is definite and trustworthy may not be gained, the cause will be due mainly to the need of more exact methods of investigation. By keeping an exact record of conduct in school, workshop, military service, and cell in connection with intellectual standing, and giving special attention to those individuals whose hereditary tendencies and early surroundings are best known, a thorough investigation of physical, mental, moral, and industrial education can be made. A minute study of one single individual in the social organism, be he delinquent, dependent, or not, may suggest a method for the beginning, at least, of a scientific sociological education. Such experience might be especially helpful in pointing out the best methods for the education of the young. In general, the main object of education is to train the young to become intelligent, moral, and self-supporting citizens. A system of education that can accomplish this is a practical need in society as a whole.

But education in the sense of the intellectual only is not sufficient; for, though the children of the weakling classes remain six hours in school, the rest of their time is spent in abodes of crime, squalid homes, or vicious idleness. While the reform schools are doing much, they do not reach, however, the very young at a time when influences for evil can leave indelible impressions. If these unfortunate children are to be educated morally and intellectually, it is evident that this can not be done unless they are removed from their pernicious surroundings. Early prevention is the most effective of all reforms. Philanthropic efforts are being directed to this end, but they have not proved sufficient for their support is not always assured, and not infrequently they are of a sporadic nature. It would seem, if anything permanent and effective is to be accomplished, the State must assist. While the American Government is not a paternal one, yet there is a limit to all forms of rules here; extremes can produce evil. Maj. McClaughry, chief of the Chicago police, and an expert of long experience, considers first among the causes of crime in this country "criminal parentage, association, and neglect of children by their parents." It is to be presumed that parents will properly care for their children, treating them kindly, and allowing them an opportunity for at least an elementary education. When this presumption is found to be untrue, the State provides for the appointment of a suitable person to act as guardian. But, as Mr. Martindale[1] says, there are two defects in this method: "First, there is no officer or person or body charged specially with the duty of investigating and prosecuting the cases. Secondly, as such children have no estates out of which they may be maintained and educated, the court can find no guardian who will undertake the task at his own charge. Experience in such cases shows that it is difficult to induce neighbors to prosecute. The fear of revenge, reluctance to attend court, a common belief that a child belongs to a parent, who has a right to do as he pleases with it, and sympathy for a mother deprived of her child, however depraved she may be, are all prevailing motives which hinder the prosecution of such cases."

---

[1] "Child Saving Legislation," North American Review, September, 1891.

Prof. Francis Wayland,[1] of the Yale law school, says that "it may require a little time to convince the community that a father has no inalienable right to brutalize his children, and to conduct under his roof a normal school for crime; that a mother has no inalienable right to turn her apartments into a brothel. A haunt of vice and crime is not a home, and we do not advocate institutional life save as, and always as, a temporary resting place under humane conditions, as to care and comfort, until a permanent home can be provided."

According to the most thorough study yet made[2] of the conditions of the weakling classes, 20 per cent of the school fees can not be collected; 10 per cent of the children attending are in want of food; some come without breakfast because the parents do not get it for them; as a little boy said, "his mother got drunk and could not get up to get it." Such children are very irregular in attendance, which is a great annoyance to a teacher, not to say a waste of public money. Such children live in the poorest neighborhood; they have no regular meals; fully a third live in one room with their parents; their waking hours are divided between school and the street; saloons are sometimes as numerous as one to every hundred adults; those on the verge of pauperism patronize them. Yet there is good order in these schools; the street urchins are trained to respond to right rule, affording ground for hope as to their future. At home they have no training; they need encouragement; they should be lifted up from their surroundings and gain a taste for better things. The difficulty is caused more frequently by poverty and shiftlessness at home than by neglect and vice, yet the latter have great influence. Compulsion in its ordinary form is practically useless in making such children regular in attendance at school. The parents are characterized by improvidence, want of purpose, and no regard for the future of their children; as soon as their boy is through with school he is put on work which prepares him for nothing, and thus he drifts into casual employment, trusts to chance for a living, and gradually sinks. The poverty, misery, and vice of the next generation will to a large extent come from the slum children. Their need is education in habits of decency, cleanliness, self-respect, the rudiments of civilization and domestic life; their instruction should not be too abstract, nor technical in the sense of fitting them for competitive examinations, clerkships, or college; but rather for the workshop, factory, trades, or the home.

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[1] "Child Saving Legislation," reprint from National Baptist, December 3, 1891.

[2] Charles Booth, Labor and Life of the People, London.

RELATION OF EDUCATION TO CRIME.

It is common suspicion of a number of writers that education has little influence in decreasing crime. That the meaning of this may be clearly understood it will be necessary to cite a few opinions.

Monsieur Tarde[1] speaks of the action of education upon insanity and suicide, which increase *pari passu*, but he refers only to primary education. He remarks that the restrictive action of education over crime is not seen, for where there is the most illiteracy there is not always the most crime; in Spain the proportion of illiteracy to the population of the whole country is two-thirds, but only half of the crime comes from this number. In 1883, 64 of condemned assassins knew how to read or write; 67 did not; there is one condemned for theft out of every 6,453 with common education and 8,283 with no education.[2] In the country, where there is less education than in the city, there are 8 prisoners a year for 100,000 inhabitants; but 16 prisoners for 100,000 inhabitants in the cities. Education modifies crime. Thus within forty or fifty years the stealing of grain has diminished while that of jewels has increased; also the proportion of crime against chastity has been very large, a probable effect of the emancipation and refinement of mind. Therefore, according to Monsieur Tarde, "the quantity of crime *en bloc* is not at all attacked by the diffusion of primary education. The remedy should be to proclaim the necessity of sacrifice, the insufficiency of the motive of personal interest, and the opportunity to elevate by æsthetical education of the highest sort and to spread professional education as far as possible." From Tarde's point of view, however, primary education is necessary, as it is a condition ot the higher and professional, even if we should admit that *per se* it is without effect.

According to Proal,[3] instruction is not sufficient to repress crime; morality is not an attribute of thought but of will; spiritual beliefs and respect of God are necessary. Instruction does not do away with egotism. Literary and philosophical studies have much more moral influence than those that are scientific.

Victor Hugo liked to say that he who opens a school closes a prison. But Proal says many schools have been opened, but no prisons closed; criminality has not diminished while education has increased. Nicolay[4] insists that if defective instruction is the cause of every evil, then (1) there should be less morality in the country where instruction is less cared for than in the city; (2) the sense of duty should be more feeble in woman than in man; but the contrary is the truth; the city population, which is only three-tenths of the whole, furnishes almost half the number of accused; and woman commits four times as few offenses and six times as few crimes as man.

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[1] La Criminalité comparée, Paris, 1890.

[2] Jimeno Agius, la Criminalitad en España. Revista de España, 1885.

[3] Le Crime et la peine, Paris, 1892.

[4] Les enfants mal élevés, Paris, 1891.

Lombroso,[1] by comparing 500 criminals with normal men, finds the following:

	Delinquents.	Normals.
	Per cent.	*Per cent.*
1. Analphabets	12	6
2. Elementary instruction	95	67
3. Superior instruction	12	27

The delinquents are inferior to the normal in the two extremes, but not so in elementary instruction. But there is great variation, according to the category of criminals; 25 per cent of violators and assassins are analphabets, but only 9 per cent of criminals against property, and less than 1 per cent of swindlers. In Austria the class committing the least crime for fourteen years consisted of those engaged in scientific work;[2] but such men are engaged in tedious and long investigations; they are critical, and their emotional nature is little developed, so that they see more clearly the folly of crime, and that its reaction generally returns with great severity upon the offender. But with poets and artists crime is more common, since the emotional nature is more prominent. The artists are tempted by professional jealousy. While sculptors and architects manifest little tendency to crime, painters produce their quota, owing perhaps to their abuse of alcohol. But crime is more frequent in the liberal professions. In Italy and France 6 per cent had received a superior culture; in Bavaria 4 per cent, and in Austria 3.6 per cent. Lombroso adds that these numbers are relatively greater than in the other classes of society. In Italy there is 1 criminal for every 345 professional men ("professionistes"), 1 for every 278 proprietors, 1 for every 419 farmers, and 1 for every 428 employés.[3] For those who exercise a profession science is not an end in itself, but a means, thus giving less force to conquer the passions. The physician can easily give poison, the lawyer commit perjury, and the teacher sin against chastity.

But there are other authorities who take a somewhat different view. Büchner (Force et matière) says that defect of intelligence, want of education, and poverty are the three great factors in crime. Beccaria asserts that the evils that flow from knowledge are in inverse ratio to its diffusion and the benefits directly proportional; to prevent crime, enlightenment should accompany liberty. A bold impostor, who is never a commonplace man, is adored by the ignorant and despised by the enlightened. The surest, yet most difficult, means of preventing crime is to improve education; inclining the youth to virtue by the path of feeling, and deterring from evil by the force of necessity and disadvantage, and not by mere command, which is uncertain. D'Olivecrona[1] says that three-fourths of those who enter prison have been conducted to crime through neglected education; the method of treatment, therefore, should be the developement of the moral and intellectual faculties, and self-reformation should be taught as the first duty.

---

[1] L'Homme Criminel. Paris, 1887.

[2] Messedaglia, Statistiche criminali dell' Impero Austriaco.

[3] Oettingen, Die Moral-Statistik.

In America the opinion of those of large experience on the practical side of reformation decidedly favors the influence of education. Z. R. Brockway, superintendent of the Elmira reformatory (an institution generally acknowledged to be the most successful in the world), considers the factors for the reformation of criminals: (1) physical renovation; (2) mental development and education; (3) the creation of improved habitudes, including moral habitudes. Gardiner Tuffs, of the Massachusetts reformatory, says that criminals are more weak than wicked; deficient in goodness rather than excessive in wickedness; that a *reformatory is an educational institution;* inmates are trained physically, taught letters and trades, and equipped with manual skill and industrial knowledge. Rev. Fred. H. Wines makes labor, instruction, and religion all forms of educaton.

STATISTICS.

Since the opinions of experts seem to be at variance in regard to the influence of education upon crime, it will be necessary to make an impartial statistical investigation in those countries whose parallel figures (or nearly so) for the same years can be obtained. The difficulty here is evident, but the endeavor will be to present what statistics can be gathered from the best and latest sources in a number of countries, and also in places, as Saxony, where records are extended and accurate. The endeavor will be to give a sufficient number of statistics from different sources, so that the reader can make an independent judgment.

FRANCE.

The following table[2] gives statistics concerning France, which show a relative increase of crime to the population:

TABLE I.

Period.	Per million inhabitants.		
	Crimes.	Offenses.	Total.
1830–1840..........	230	2,080	2,310
1841–1860..........	195	3,610	3,805
1861–1870..........	110	3,870	3,980
1871–1880..........	120	4,320	4,440
1883–1887..........	81	5,390	5,471

---

[1] Des causes de la récidive et des moyens d'en restreindre les effets. Stockholm.

[2] Dictionary of statistics, M. G. Mullhall, p. 235.

Taking the ratio of male and female adults able to sign the marriage register and of conscripts able to write when enrolled for service, the results are—

TABLE II.

Year.	Conscripts able to write.	Adults of both sexes.
	Per cent.	*Per cent.*
1830	45	42
1855	66	60
1865	76	66
1876	84	75
1881	86	82

In France, then, there has been a relative (to population) increase of both education and crime. The same is shown by the "Bulletin de l'Institut International de Statistique" for 1889:

TABLE III.

Year.	Literate conscripts.	Year.	Literate adults (married).
	Per cent.		*Per cent.*
1827	42	1854	53
1886	90	1885	80

ITALY.

It is seen from official returns that the number of children at primary schools has doubled since 1862.[1] The increase in education is shown in the following table:[1]

TABLE IV.

Year.	Conscripts able to read.	Signing marriage register.		University Students and auditors.*a*
		Men.	Women.	
	Per cent.	*Per cent.*	*Per cent.*	
1866	36.0	40.0	21.0	
1871	43.0	42.3	23.3	
1881	52.3	51.8	30.1	
1883				13,334
1884				13,532
1885				14,817
1886				14,996
1887	55.0	57.2	37.2	15,911

a Statesman's Year Book.

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[1] Mulhall.

In 1875 the prisons of Italy admitted 206,700 criminals. In 1887 the convictions were as follows:[1]

TABLE V.

Convictions at—	
Assize court	5,546
Minor courts	309,813
Total	315,359

The judicial penal statistics of Italy for 1889[2] indicate the relative number (to population) of all the crimes condemned by the prætors in the years:

TABLE VI.

For every 100,000 inhabitants:	
1887	901.21
1888	928.87
1889	954.43

According to this official publication these figures (Table VI) indicate a relative increase in crime.

In the Statesman's Year Book for 1891 is given the percentage of illiterate conscripts and illiterates married:

TABLE VII.

Year.	Illiterate conscripts.	Illiterates married.	
		Male.	Female.
	Per cent.	*Per cent.*	*Per cent.*
1866	64.01	59.96	78.97
1871	56.74	57.73	76.73
1881	47.74	48.24	69.90
1887	44.98	42.83	62.82
1888	42.98	42.27	61.90

For Italy, then, all statistics indicate an increase of both education and crime.

GERMANY.

From the table[3] below it will be seen that there has been a relative increase in Germany of those condemned for crime:

TABLE VIII.

Number of persons condemned for every 100,000 inhabitants:	
1882	1,028
1883	1,023
1884	1,066
1885	1,046
1886	1,066
1887	1,068

Habitual criminality has also increased.[3]

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[1] Mulhall.

[2] Statistica Giudiziaria Penale, 1889. Roma, 1891.

[3] Zeitschrift des K. Sächsischen Statistischen Bureaus, XXXV. Jahrgang, 1889.

TABLE IX.

Year.	Crimes and offenses punished.			
	In general.	For the first time.	More than once.	Whole number.
				Per cent.
1882	329, 968	247, 512	82, 456	24. 9
1883	330, 128	244, 611	85, 517	25. 9
1884	345, 977	254, 703	91, 274	26. 4
1885	343, 087	249, 055	94, 032	27. 4
1886	353, 000	253, 885	99, 115	28. 9
1887	356, 357	253, 512	102, 845	28. 9

In the university education of Germany there has been a relative increase to population:

TABLE X.

[Number of students to every 100,000 inhabitants.[1]]

1830	52. 5
1856–'61	32. 0
1870	43. 7
1881	51. 0
1882	52. 5
1885	58. 1
1889	60. 3

There has been, therefore, a general increase of both university education and crime; but comparing the years 1882 and 1885 in the two last tables, it will be seen that the relative increase has been twice as much in one case as in the other; thus showing little correspondence.

Another important factor may be noted in this connection. From Tables VIII, X, and XI it will be seen that in the years 1882, 1883, and 1884 crime, university education, and alcoholism manifest a somewhat large and corresponding increase. Of every 100,000 inhabitants in Germany there entered the hospitals the following numbers of chronic alcoholics and those afflicted with delirium tremens.[2]

TABLE XI.

1877	10. 0	1881	9. 2
1878	9. 5	1882	11. 1
1879	10. 6	1883	15. 6
1880	9. 3	1884	19. 8

For 1882, 1883, and 1884 there is indicated a large increase in the abuse of alcoholic drinks.

The frequent causal relation between drunkenness and crime is shown by the figures in the Dictionaire des Sciences Medicales. "The proportion of crime caused by habits of intemperance is as follows:" England, 43 per cent; Belgium, 80; Sweden, 31; Germany, 44; and Denmark, 74 per cent. It will be evident, therefore, that any statement as to education increasing crime can have little weight until it can be shown that the increase in crime is not accounted for to a large extent by the increase in the use of alcohol. But Baer affirms that also indirectly the abuse of alcohol increases crime very greatly.[1]

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[1] Von Mayr-Allgemeines Statistisches Archiv., 1890.

[2] Baer, A.—Die Trunksucht, 1890.

AUSTRIA.

TABLE XII.*a*

Convictions.	1885.	1886.	1887.	1888.
Crimes	30, 865	29, 706	28, 745	28, 112
Offenses less serious	5, 745	5, 400	4, 989	4, 830
Misdemeanors	538, 947	558, 453	556, 298	536, 740
Number confined at end of year	575, 557	593, 559	570, 032	569, 682
Males	10, 168	9, 785	9, 602	9, 364
Females	1, 521	1, 439	1, 478	1, 475
Total	11, 689	11, 224	11, 080	10, 839

a Statesman's Year Book, 1892.

The above table shows an absolute decrease in number of convictions in Austria.

The total number of pupils in school was, in 1886, 2,748,347; in 1889, 2,831,667. These latter figures[2] show, on the other hand, an absolute increase in education; but this is still greater since, in 1886, 10.9 per cent escaped enrollment, and in 1889, 11.3 per cent. As far as statistics are accessible, Austria shows an increase in education and a decrease in crime.

NORWAY AND SWEDEN.

In Norway and Sweden the convictions for crime were as follows:[3]

Tried for—	Sweden.		Norway.			
	1881.	1887.	1881.	1887.	1888[4].	1889[4].
Crimes	9, 608	9, 157	3, 318	2, 932	2, 753	2, 938
Offences	48, 598	45, 404	25, 369	22, 664	21, 755	24, 926
Total	58, 206	54, 561	28, 687	25, 596	24, 508	27, 864

The ratio of children in school was 98 per cent in 1888 and 71 per cent in 1859 in Sweden.

The population in Norway[4] in 1875 was 1,818,853; in 1887, 1,959,000; and in 1891, 1,999,176. The number of pupils in 1885 was 263,392; in 1887, 294,064; and in 1888, 295,239.

While there has been a decrease in the number of convictions for crime from 1881 to 1887 in Norway and Sweden, there has been an increase in education. But in Norway alone for the year 1888-'89 there is an increase in the number of crimes. As to education in Norway we have not been able to obtain statistics.

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[1] See chapter IV, on alcoholism.

[2] Oesterreichen Statistik, 21 and 25 Bände.

[3] Mulhall.

[4] The Statesman's Year Book, 1891.

ENGLAND.

According to Mulhall[1] "the increase of schools has been accompanied by a decrease in crime. The returns for England, Wales, and Scotland show:"

Period.	Children attending school.	Annual convictions.	School children per 1,000 population.	Criminals per 100,000 population,
1841-1850	220, 000	24, 300	11	122
1851-1860	560, 000	21, 200	26	96
1861-1870	1, 170, 000	17, 010	47	68
1871-1880	2, 300, 000	13, 900	82	50
1887	4, 019, 000	12, 150	125	38

Mulhall says: "From 1869 to 1881 there was a decline of 53 per cent in juvenile crime, thus showing the good effect of reformatories since their introduction in 1869 into the United Kingdom:"

	1869.	1881.
Juvenile offenders	10, 314	5, 579
Per 1,000,000 inhabitants	458	215

As in England, so the increase of schools in Ireland has been concomitant with a decrease of crime:[2]

Period.	Children attending school.	Annual convictions.	School children per 1,000 population.	Criminals per 100,000 population.
1851-1660	220, 000	7, 705	35	124
1861-1870	310, 000	2, 918	56	53
1871-1880	405, 000	2, 492	77	47
1887	513, 000	1, 412	106	29

The Statesman's Year Book for 1892 gives the following tables, compiled from official returns, relating to primary schools (both board schools and voluntary schools), showing the progress of education within the years 1884 to 1890:

Year ended August 31—	Average number of children in attendance.	
	England and Wales.	Scotland.
1884	3, 273, 124	448, 242
1885	3, 371, 325	455, 655
1886	3, 438, 425	476, 890
1887	3, 527, 381	491, 735
1888	3, 614, 967	496, 239
1889	3, 682, 625	503, 100
1890	3, 717, 917	519, 738

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[1] The Dictionary of Statistics, 1891.

[2] Mulhall.

The increase of the number of children in attendance from 1884 to 1890 has been a continual and gradual one.

The following table will indicate the progress of elementary schools in Ireland.[1]

Year ended December 31—	Schools in operation.	Average attendance.
1884	7, 832	492, 928
1885	7, 936	502, 454
1886	8, 024	490, 484
1887	8, 112	515, 388
1888	8, 196	493, 883
1889	8, 251	507, 865
1890	8, 298	489, 144

The number of criminal offenders committed for trial and convicted in the three kingdoms was:[1]

Year.	England and Wales.		Scotland.		Ireland.	
	Committed for trial.	Convicted.	Committed for trial.	Convicted.	Committed for trial.	Convicted.
1885	13, 586	10, 500	2, 535	1, 956	2, 850	1, 573
1886	13, 974	10, 686	2, 437	1, 838	3, 028	1, 619
1887	13, 292	10, 338	2, 357	1, 843	2, 694	1, 411
1888	13, 750	10, 561	2, 352	1, 753	2, 188	1, 220
1889	12, 099	9, 348	2, 234	1, 723	2, 181	1, 225
1890	11, 974	9, 242	2, 314	1, 928	2, 061	1, 193

In England, Scotland, and Ireland all statistics are in accord in showing an increase in education and a decrease in crime, from 1885–1890. The fact that in certain years there is an increase in the number of convictions, although a decrease in the number committed for trial, would indicate more certainty in the execution of justice. This may be one element to account for the cause of the general decrease in crime.

AUSTRALIA.[2]

Year.	Per 10,000 population.		
	Arrests.	Commit-tals.	Convicts.
1861	433	22	13
1871	362	14	8
1881	432	12	7
1888	365	10	6

In this table arrests include all manner of crimes and offenses; committals refer only to crimes. There is indicated a relative decrease in crime. The increase of education on the other hand is quite marked.[2]

	Pupils.
1861	130, 000
1871	312, 000
1881	671, 000
1888	783, 000

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[1] The Statesman's Year Book, 1892.

[2] Mulhall, 1891.

JAPAN.

In Japan since 1885 there has been a decrease in crime:[1]

Crime.	1884.	1885.	1886.	1887.	1888.
Serious crimes	4, 437	5, 636	5, 940	4, 397	3, 174
Lesser crimes	94, 055	96, 474	96, 474	79, 723	73, 279
Total	97, 492	109, 368	102, 414	84, 120	76, 453

Elementary education is compulsory. The official educational statistics for 1885 are:

	Students or pupils.
Elementary schools	2, 802, 639
High schools	11, 885
University schools	875
Normal schools	5, 000
Technical schools	11, 424
High female schools	898
Other schools	68, 061
Total	2, 900, 782

And for 1888:

	Students and pupils.
Elementary schools	2, 927, 868
Lower middle schools	11, 200
Higher middle schools	3, 939
High girls' schools	2, 599
Normal schools	5, 287
Technical schools	15, 453
Special schools	88, 226
University schools	808
Kindergarten schools	6, 337
Total	3, 061, 717

By comparing the two last tables an increase in number of students and pupils is evident. A development of their system of education is also indicated by the increase in the kinds of schools.

WÜRTEMBERG.

According to recent official returns in Würtemberg no one above the age of 10 is unable to read or write.[2] There has also been a decrease in the number of those convicted over 12 years of age, as follows: In 1886, 13,617; in 1887, 12,841, and in 1888, 12,757.

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[1] Statesman's Year Book, 1889.

[2] Statesman's Year Book, 1892.

SAXONY.

In Saxony from 1884 to 1889 the number of common schools and the total attendance has increased.

Year.	Common schools.		Other educational institutions except university.	
	Number.	Attendance.	Number.	Attendance.
1884	4,046	599,470	71	15,374
1887	4,186	641,070	70	17,739
1889	4,229	661,464	78	17,294
1890	4,230	670,354	77	17,906

University of Leipzig.[1]

Year.	Students.				
	Theology.	Jurisprudence.	Medicine.	Philosophy.	Total.
1885	699	610	662	1,104	3,075
1886	653	625	690	1,062	3,060
1887	693	685	713	940	3,054
1888	693	831	794	970	3,288
1889	660	879	874	909	3,391
1890	565	1,090	944	859	3,458

From the preceding table it will be seen that while the number of students in theology and philosophy have decreased, those in medicine and jurisprudence have increased sufficiently to more than counterbalance this decrease.

According to official statistics[2] of education in Saxony, from 1864 to 1890 the attendance on the university shows an increase of 251.63 per cent. There were graduated from the gymnasia [2] in 1877, 250; in 1878, 242; in 1880, 278; in 1884, 357, and in 1889, 446. Saxony thus shows an increase in all departments of education. The comparative table[3] following shows an increase in population (No. 14), and a decrease in the number of condemned in general (No. 1):

SAXONY.

Nos.		1884.	1885.	1886.	1887.
1	Number of condemned in general	17,265	16,569	16,293	16,161
2	Total attendance at all schools except university	614,844	....	....	658,809
3	Suicide	1,114	1,146	1,071	1,104
4	Total attendance on university	....	3,075	3,060	3,054
5	Ratio of condemned for every 100,000 inhabitants responsible under the law	795	753	731	715
6	Total attendance at common schools	599,470	....	....	641,070
	For every 100 thefts there were young persons to the number of:				
7	Male	17.9	18.3	18.8	19.5
8	Female	6.9	7.1	7.3	7.3
9	Beggars and tramps	17,706	18,340	17,233	14,793
10	Price of rye per 1,000 kilograms	$36.50	$35.94	$33.29	$30.91
11	Price of wheat per 1,000 kilograms	$41.98	$39.59	$38.60	$40.48
12	Thefts	7,302	6,728	6,346	6,040
13	Cases of alcoholism in hospitals *a*	318	425	....	....
14	Number of inhabitants	3,101,810	3,143,650	3,185,490	3,227,329

a Baer, Die Trunksucht, 1890.

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[1] Statesman's Year Books, 1887–1892.

[2] Zweiter Bericht über die gesammten Unterrichts- und Erziehungsanstalten im Königreiche Sachsen, Dresden, 1890.

[3] Zeitschrift des k. sächsischen statistischen Bureaus, 1889.

METHODS OF ARGUMENT.

The statistics for other social factors are given in the table above, as some of them may have a close relation to crime.

Taking the period from 1884 to 1887, there is a decrease under the following heads: In total attendance on university (No. 4), in number of beggars and tramps (No. 9), in the price of rye (No. 10), and in the number of thefts (No. 12).

There is an increase in attendance of all schools except universities (No. 2), in the attendance at common schools (No. 6), in juvenile thefts (Nos. 7 and 8), and in alcoholism for 1884 and 1885 (No. 13). The number of suicides and the price of wheat do not vary very much during this period.

Rye bread is one of the most common foods in Saxony. If a decline in its price be taken as an indication of cheaper living for the poor, and therefore assuming less struggle for existence, it might be used as an argument to account for the decrease in crime. But such methods of comparing and arguing in statistics may indicate possibilities, and in some cases probabilities, but not certainties. One reason is that other potent factors, such as psycho-social, must be included, although they can not be estimated in their influence upon crime. As arguments of this nature are so popular and so frequently employed, it may not be out of place to indicate what unwarrantable conclusions may be reached.

In Germany[1] the convictions per 10,000 inhabitants over 12 years of age were 106 in 1885 and 108.2 in 1886. Now, in 1885, woolen manufactures to the value of £2,663,015 were imported into Germany, and in 1886 the value reached was £2,783,728, showing an increase somewhat parallel to that of the convictions. Arguing from concomitancy to causation, it might be said that increase in wool importation caused increase in crime. It is true that there is probably some relation between all factors in the social organism, but it is not necessarily a causal one in the sense that one particular element causes another to increase or decrease in quantity.

According to the Tenth Census in the United States the ratio of convicts in penitentiaries to the population was 709 in each million; in the Eleventh Census the ratio is 722, showing an increase of 13 to the million. In the county jails in 1880 the ratio of prisoners was 253, and 312 in 1890, giving an increase of 59 to the million. In this period both Protestants and Catholics claim a large increase in clergy, churches, and membership. But religious and moral forces tend to decrease crime, not increase it. The absurdity, therefore, of reasoning in statistics from concomitants whose reciprocal influence is unknown is sufficiently evident. Sociology has not reached that stage of completeness where social forces can be measured and the resultant action in this or that tendency be calculated. The social equation has too many unknown qualities to admit of solution by any method yet known.

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[1] Statistisches Jahrbuch für das Deutsche Reich, 1891.

Thus in the question as to the relation of education to crime, the fact of concomitance, as has been seen, is not necessarily a causal relation. While it is true that a majority of countries show an increase in both education and crime, yet not a few, and some of the most developed nations, show an increase of education and a decrease in caime. As far as statistics are concerned, the exact relation between education and crime is unknown.

It may be inquired, then, as to the probable influence of education on criminal tendencies. The best method of forming any opinion is, perhaps, by the study of average individual cases.

It would be difficult to find a criminal who in a single instance could attribute the cause of his crime to education. It is true, he might show that it was due to an evil acquaintance made in school; but to suppose that the teaching of the common or higher branches develops a tendency to crime seems almost absurd when considered practically. Perhaps as good a test as any is for one to ask himself if the teaching of ordinary branches in his school days gave rise to immoral or criminal desires. The question seems insignificant when we consider the positive influence, such as suggestive novels or similar reading or detailed accounts of crime, that few of the young escape. The learning of the multiplication table and the study of English grammar in the case of a person with criminal tendencies would give him less time to dwell upon his evil thoughts.[1] In the absence, therefore, of adequate knowledge of the exact and varied relations between education and crime, we can do no better than conclude with the words of Wines, when he says,[2] "seventy years' experience of men, seventy years' work among men, have impressed one idea upon my mind; it is that nothing can be done with men except through the will, and the will can be reached only through the intelligence and the heart."

SUMMARY OF STATISTICS ON EDUCATION AND CRIME IN THE UNITED STATES, GATHERED BY THE BUREAU.

The whole number of inmates received by the prisons and penitentiaries reporting to the Bureau for the year 1891 was 27,103. The average age was 26$\frac{2}{5}$ years.

Education.—The education of the inmates was as follows: 13 per cent of those reporting could neither read nor write; 1 per cent claimed to have been in college; 4 per cent in high school or academy; 48 per cent in grammar grade of public school; 20 per cent in private elementary school. Of those discharged, 3 per cent were unable to read or write.

Those institutions reporting are probably among the best, and it is also probable that their per cent of education is higher than institutions which have not sent in returns; so that were it possible to obtain answers from all the prisons the percentages of illiteracy and want of general education would be somewhat greater.

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[1] See remarks by Dr. Harris, p. 105. Also see p. 203.

[2] The State of Prisons, etc., in the Civilized World, 1880, p. 222.

RELIGION.—As to the religion of inmates, 42 per cent were Catholics, 0.8 per cent Jews, 33 per cent Protestants, and 16 per cent of no religion.

NATIVITY.—Forty-two per cent were natives of the State and 43 per cent were natives of other States. This confirms the well-known migratory tendency in criminals; 11 per cent were natives of Ireland, 3 per cent of Germany, 3 per cent of Canada, 4 per cent of England and Wales, 0.8 per cent of Scotland, 0.4 of France, 1 per cent of Italy, and 4 per cent of other countries.

CHARACTER OF OFFENSE.—There were 11 per cent of the offenses against person, 39 per cent against property, 47 per cent against public morals, and 3 per cent against government.

INTELLIGENCE.—The number of those defective in intelligence was 19 per cent; 33 per cent showed fair intelligence; 38 per cent were good, and 5 per cent excellent in intelligence.

SUBJECTS TAUGHT.—Twenty institutions reported 124 teachers (leaving 20 with no school) and 2,722 pupils. The average daily session of school was about two hours and twenty minutes. Reading was taught in 18 institutions, writing in 16, spelling in 14, grammar in 11, geography in 9, history in 3, the Bible in 2, and literature, algebra, ethics, and religion each, in 1. The results here given do not include Sunday schools or Sunday teaching.

EMPLOYMENT.—The proportion of inmates regularly employed before entering penitentiaries was 38 per cent; 22 per cent had learned some mechanical or manufacturing trade before entering the prisons.

PARENTAGE.—Sixty-two per cent were reported living with their parents until 10 years of age; 69 per cent of parents were poor, 18 per cent comfortable, and 6 per cent well-to-do. Sixty-three per cent resided in the city and 36 per cent in the country.

NATURE OF CRIMINAL.—Considered incorrigible, 10 per cent; institutions reporting, 26. Considered as returning to crime, 35 per cent; institutions reporting, 28. Considered as owing crime to circumstances, 60 per cent; institutions reporting, 21. Considered as owing crime to criminal propensities, 35 per cent; institutions reporting, 22.

HEALTH OF CRIMINAL.—Eighty-two per cent were reported as having good health, 11 per cent fair health, and 6 per cent bad health.

CONDUCT OF CRIMINAL.—Sixty-eight per cent showed good conduct, 23 per cent fair, and 7 per cent bad conduct.

TRUSTWORTHINESS OF CRIMINAL.—Fifteen of the 34 penitentiaries reporting consider the most trustworthy criminals to be those committing offenses against person. Sixteen of the 30 reporting consider the least trustworthy criminals to be those against property. The remaining answers were so varied that further classification could not be carried out.

Pressing practical reforms recommended.—Education specially recommended by 7 institutions; strict discipline recommended by 7 institutions; kind treatment recommended by 5 institutions; religious influences recommended by 5 institutions; teaching of trades recommended by 4 institutions; occupation recommended by 4 institutions; better classification recommended by 4 institutions; assistance to discharged prisoners recommended by 2 institutions. The other recommendations were not sufficiently similar to classify further.

CHAPTER II.

CRIMINOLOGY.

Criminology is a branch of sociology, and treats of those actions, thoughts, and feelings which are especially dangerous either to the individual or society. Drill says that crime is a sensible measure of the degree of health, strength, and prosperity of a given society in a given moment of its existence. The social organism suffers from disease just as the individual. Thus there is a pathological sociology, which considers the morbid states of society and the anomalies opposed to nature, and shows their coexistence and the derivation of one from the other.

Criminology, or criminal anthropology, is one of the most recent sciences. In 1885 the "First International Congress" was held at Rome. The second congress met at Paris. At first the scientific study of criminology was looked upon with suspicion. At present interest in the subject is greatly increasing. Like every new science, it is in its polemical stage. The Italians are the innovators. The criminologists are divided into two parties: one emphasizes the pathological or atavistic causes; the other, the psychological and sociological. The latter are subdivided into socialists, who would account for everything by the inequality of economic conditions, and those who take into consideration all social phenomena.

Criminology proper may be divided into general, special, and practical. General criminology consists in a summary and synthesis of all the facts known. Special criminology concerns the investigation of individual cases, physically, psychically, and historically considered. Here, perhaps, is the most promising field for the advancement of criminology as a science. The practical side, which includes all methods and institutions for the prevention or repression of crime, is the most familiar to the public.

The subdivisions of criminal anthropology or criminology and its relations to other sciences might be indicated as follows:

Criminal *embryology* considers the analogies of crime in the vegetable and animal kingdoms. The *anatomy* of criminology includes more especially the craniology, cerebrology, histology, anthropometry and physiognomy of the criminal. In criminal *psychology* one would study the entire psychical life: Intelligence, sentiments, sensibility, ethics, æsthetics, and religion. Criminal *sociology* comprehends the association of criminals; their relation to the state; economically, and in connection with poverty and misery. Criminal *jurisprudence* takes into consideration all criminal laws and their underlying principles. *Penology* treats of the principles, degrees, and methods of punishment. *Statistical* criminology has for its object the arrangement, classification, and summary of all criminal data, and their interpretation. Criminal *hypnology* concerns those hypnotic and partially hypnotic conditions in which crime is committed, especially in the case of hysterical individuals. Criminal *epidemiology* considers those conditions where, through imitation or by a sort of contagion, crime suddenly develops. Criminal *teratology* treats of pathological sexuality, onanism, pederasty, sodomy, masochism and sadism, and saphism. Criminal *prophilaxy* considers the methods of prevention through alterations of social condition, physical, intellectual, moral, and religious education; by means of prisons, transportation, aud deportation. The *philosophy* of criminology takes up the more disputed questions and theories, as atavism, infantilism (natural depravity of children), degeneracy, the interpretation of psychical and physical characteristics, and crimino-psychiatrical cases. We may add that the whole study of pathological humanity may do for humanity what pathology has done for medicine.

The study of criminology, like the study of medicine, should be carried on by scientific methods. That is to say, all the conditions, occasions, and causes of crime must be investigated first, if the treatment is to be a rational one. "Sound pathology, sound medicine," is as true as it is familiar.

A practical advantage in the study of criminals is, that they being in prison, questions can be asked and investigations permitted that would be very difficult outside of prison. The exact conditions, such as diet, regularity in manner of living, etc., being known make it more favorable for scientific inquiry. And since the criminal is living on the bounty of the State, there is no valid reason why he can not be utilized (provided always that it is in a humane way); for the very object of such an investigation is ultimately to benefit the State by lessening crime. The method is, by a thorough diagnosis, to trace out the underlying and constant causes of crime, and thus be enabled to apply direct means towards its prevention and repression. The study of the criminal can also be the study of a normal man; for most criminals are so by occasion or accident and differ in no essential respect from other men. Thus an individual, becoming excited in discussion, or under the influence of liquor, or on account of an insult, may, on the spur of the moment, strike the offender with the nearest object in his reach; if it is a hammer, he becomes a criminal; if it is a book, he is not a criminal.

But even where the individual is criminal by nature, it is generally his moral and not his intellectual side that is abnormal; so that methods found to be successful in mental education will be applicable outside of prison; and *vice versa*, any experiment that fails in prison may save the community from making a similar mistake. Thus the prison or reformatory may also serve as a laboratory for experiments on humanity for the good of humanity itself. The pressing need of the present is a system of education that will prepare the average young person for *actual* life. Such a system will not be found by arguments or theories, but must come from experiments. Any prison method that might be found successful for the moral, intellectual, and industrial training of the weak in life, would *a fortiori* be applicable to society at large.

PRACTICAL CRIMINOLOGY.

As to the treatment of the criminal in prison as a means of reformation, we can do no better than give briefly the ideas of some of those in our own country who have had much experience with criminals.

We mention first and foremost Mr. Z. R. Brockway, superintendent of the Elmira Reformatory, who is justly recognized in Europe, as well as in America, as the most successful in the actual reformation of the criminal.

The indeterminate sentence is the pivot of criminal reform. Its true idea includes all classes of prisoners in custody, without any maximum or minimum term of sentence. Thus applied, it includes conditional release and the marking system, which are inseparable. The indeterminate sentence substitutes in the mind of the prisoner and in the public mind—which is more important—the idea of correction instead of punishment. This does not abolish penal treatment; prison discipline is rather intensified. It gives a great advantage in treating misdemeanants. Thus a man might be held for life for being a drunkard merely. It fastens the duty of determining the date of the prisoner's parole or release upon the warden, who should know his prisoners individually, and who is the best man to determine when it is safe to release a prisoner. On the old system there is an inevitable antagonism between keeper and convict, but with the indeterminate sentence the prisoner desires to convince the warden that he is fit to go out, and may resort to crookedness; but he eventually realizes that he has wasted his time. At this point reformation begins, and the next step will be an honest effort to get out in the way the warden marks out for him. It facilitates the release of the prisoner at the best time, when he has worked steadily for months, and honestly earned his promotion and is hopeful and encouraged. After his release he is surrounded with the strength of legal liability. This is of great benefit to "habitual incorrigibles" and indispensible to accidental criminals. The indeterminate sentence is necessary to an effective reformatory system, for it gives the strongest and almost the only true motive that influences a man to behave properly, to cultivate and to prepare himself for free life.

On his leaving, a position is found for the prisoner. The employer knows all about him. The prisoner must correspond with the warden each month, certificates being sent by his employer. At the end of six months, if he is all right, he goes "scot free." If he breaks his parole he is brought in again. The released all obtain positions. Scientific reformation is based on physical culture and labor in a way that approaches as near as possible the natural relation of labor outside of prisons. The prisoner has what he earns and pays for what he gets, supplemented by a complete course of scholastic education. At least 60 per cent of men between 15 and 30 are reformed.

Rev. Frederick H. Wines says that this system of conditional liberation introduces new life into the prison; it causes officers to make individual study of prisoners; it enables the prisoner to support his family, it gives him every chance to do better; it is the most thorough test of prison discipline. A man is not sent into the world without any test. Industry, study, and good conduct are the sole conditions of release. The determinate sentence gives freedom to dangerous men, and often causes unjust penalties. The indeterminate sentence is the only rational one. The difficulty in its application is no greater than in the case of releasing the insane.

Another practical question in criminology is the financial one. According to F. H. Wines, censor for criminal statistics in 1880, there were nearly 60,000 prisoners in the United States, and 11,000 inmates of juvenile reformatories. It is estimated by the same authority that the cost of maintaining our prisoners is fifteen millions yearly, but that this is a small part of the cost of defending property and life; another fifteen million must be added for keeping up the police department. Then there is the ponderous and expensive system of courts, the cost of which, with officers, employés, detectives, etc., is enormous for criminal matters alone. Moreover, the cost of the property stolen can not be reckoned. The reports of the state prisons show one-third more convictions for high crime, in proportion to the population, than there were twenty years ago.

We may add to this the moral effect on the community, through the familiarizing and consequent hardening of the public conscience by the perusal of criminal details. But there is a nervous effect, which is not insignificant. The number of persons in every community that are, for instance, continually in fear of burglaries is not inconsiderable. General nervousness (especially in women), lack of sleep, easy awakening, seeing if all windows are fastened, placing chairs and the like against the doors, etc., are not uncommon phenomena. Why should the public, who pay for the treatment of criminals when confined, and still more when they are not confined, continue to graduate these ex-convicts almost daily into the ranks of citizens? Why permit all this, when at the same time every intelligent prison warden and any judge who has given attention to criminal matters feels beforehand morally certain that many prisoners, who are legally released, will go and plunder the community (possibly taking life) and be returned to commence the same circle again, saying, in the words of Reinach, as they go and return, not "*à dieu*," but "*au revoir?*" The convict is a parasite, but the ex-convict is a roving parasite. The location of his crime not infrequently depends upon the quality of the food and general comforts of the neighboring prison. The state releases the convict, he plunders the state, the state pays detectives to catch him, he hires his lawyer and the state pays the costs, and if convicted the state pays his living expenses.

As to the comforts of the prisoner, we do not overlook the fact that good food and air (the latter being more difficult to obtain), with bathing and with reasonable comforts, are a great aid towards the reformation of the criminal. Yet they should not be pushed so far as to make the prison a desirable, or at least a very convenient, place to live in. It is true that an intelligent and experienced warden, with a well-constructed, airy, clean, and comfortable prison and a liberal diet, will be enabled better to reform his prisoners than if those things were lacking. It is also true that with extras, if you please, luxuries and special privileges, a warden can, by their judicious employment as means of reward for good conduct, justify their existence within prison walls.

PRISON DISCIPLINE.

It is almost a truism of prison discipline that the conditions inside should approach those outside as near as possible, so that on the prisoner's release the change may not be so sudden as to precipitate his early fall. He probably became an evil-doer gradually, and if he becomes a good citizen, the change must be as gradual. The importance of the application of the individual method in prison discipline is evident here. It seems rational that one in charge of a penal or reformatory institution should know at least the important details as to the character and life of every individual under his charge. The practical value (not to mention the scientific value) is obvious. This applies as well to all the underofficers, who are much more in contact with the men. We say it seems rational, if the men are to have intelligent and proper treatment. But, as a matter of fact, in almost all our institutions, if not all, ignorance of such details is the rule among those in charge, and this ignorance seems to be the most intense among those who are in closest relation with the inmates, the very ones whom such knowledge might assist the most.

The real trouble, as in other institutions, is the want of thoroughly trained men. It is as true of a prison as of a university that buildings do not make it, but men. The public, however, are unwilling to pay for trained men. Even the wardenship of a prison is not regarded as a very high political office, nor are intellectual qualifications a conspicuous requisition. The regular duties of a warden (not to mention his political ones) leave him little time and less energy to make an individual study of his prisoners, and too many of the underofficers are incapable from lack of education or intelligence, or both. Many of the criminals are more intelligent than those over them. The psychological effect is apparent. Given ten of the most disorderly men in a prison, and one of the lowest paid officers (as is too often the case) to take charge of them, the result is likewise evident.

Having considered the point of view from within the prison, we may briefly take up the point of view of the citizen outside, who is of much more value than the criminal. The value of the criminal is very small in comparison, but it is infinitesimally so when the whole community are considered. In a sense the criminal is important, simply because the community make him so. Just as a flaw in one little part of a mechanism can throw the whole into disorder, so the criminal is important, since by his crime he can throw the whole community into excitement. Why, then, should he have so comfortable quarters and many privileges at the expense of the community? Simply because it is more economical for the community (not to mention higher moral and religious reasons) to treat him well than otherwise. History records the results of the vengeance theory, and shows at least its uselessness.

FUNDAMENTAL PRINCIPLES OF CRIMINOLOGY.

The relation of criminality to the other forms of pathological and abnormal humanity is one of degree. If we represent the highest degree, as crime, by A^6, A^5, say, would stand for insane criminality, and A^4 for alcoholism, perhaps, A^3 for pauperism, A^2 for those weak forms of humanity that charity treats more especially, and A for the idea of wrong in general, particularly in its lightest forms. Thus, crime is the most exaggerated form of wrong; but these forms are all one in essence. A drop of water is as much water as is an ocean.

It is difficult to draw a distinct line between these different forms of wrong. This will become evident from the fact that they are dovetailed one into the other. Thus, when cross-questioning criminals, one often feels that not only are their minds weak and wavering, but that they border close on insanity. The same feeling arises after an examination of confirmed paupers. Here alcoholism is one of the main causes; the individual, on account of his intemperate habits, finds difficulty in obtaining employment, and this forced idleness gradually, from repetition, develops into a confirmed habit. Pauperism may be, in some cases, hereditary, but it is too often overlooked that the children of paupers can acquire all such habits from their parents, and so it can be carried from one generation to another, without resorting to heredity as a cause, which is too often a name to cover up our ignorance of all the early conditions. The extent to which alcoholism is involved in all forms of humanitarian pathology is well known; it is often indirectly as well as directly the cause of leading the young into crime; the intemperate father makes himself a pest in his own home; the children remain out all night through fear; this habit leads to running away for a longer time. Although not thieves, the children are compelled to steal, or to beg, in order to live; and thus many become confirmed criminals or paupers, or both. The great evil about alcoholism is that it too often injures those around, who are of much more value than the alcoholic himself. It makes itself felt indirectly and directly in our hospitals, insane asylums, orphan asylums, and charitable institutions in general. However low the trade of the prostitute may be, alcohol is her greatest physical enemy.

As just indicated, some of the lesser degrees of abnormal and pathological humanity may be considered under the head of charitological. These are represented by the different kinds of benevolent institutions, such as asylums for the insane and feeble-minded, for the inebriate; hospitals, homes for the deaf, dumb, and blind, for the aged and orphans, etc.; and institutions for defectives of whatever nature.

It is evident, however, that the term charitological may not only be applied to what is pathological or abnormal, but also to that which is physiological or normal. Thus it can refer to institutions of quite a different order, but yet none the less charitable in nature. We refer, of course, to educational institutions, the majority of which are a gift to the public, and especially to those who attend them. It is obvious enough that every student is, in some measure, a charity student from the well-known fact that the tuition money in most cases pays a very small part of the expenses.

Now, no distinct line can be drawn between penal and reformatory institutions, and between reformatory and educational institutions; it is, again, a question of degree. But, in saying this, it is not meant that difference in degree is of little consequence. On the contrary, it is very important to distinguish between penal, reformatory, and educational for practical reasons, as in the classification of prisoners, not all of whom are criminals. In a sense, all education should be reformatory.

But it may be asked, where can a subject end? It goes without saying that divisions are more or less arbitrary, if we are seeking reality, for things are together, and the more we look into the world the more we find it to be an *organic mechanism of absolute relativity.* Most human beings who are abnormal or defective in any way are much more alike than unlike normal individuals; and hence, in the thorough study of any single individual (microcosmic mechanism), distinct lines are more for convenience. Thus the difficulties of distinguishing between health and disease, sanity and insanity, vegetable and animal, are familiar. Whatever may be said from the educational point of view about abnormal cases is generally true, with few modifications, of the normal. Education and pedagogy are thus to be included to some extent in a comprehensive charitological system.

But although the distinct separation of one wrong from another is not easy, yet the decision as to the highest form of wrong may not be so difficult. This form consists, without doubt, in the act of depriving another of his existence; no act could be more radical; the least that could be said of anyone is that he does not exist. The desire for existence is the deepest instinct in nature; not only in the lower forms of nature, but anthropologically considered, this feeling manifests itself in the highest aspirations of races. In mythology, religion, and theology the great fact is existence hereafter, and in philosophy it has gone so far as preëxistence of the soul. Perhaps the deepest experience we have of nonexistence is in the loss of an intimate friend, when we say so truly that part of our existence has gone from us. It is death which makes existence tragic.

Now, the degrees of wrong may be expressed in a general way in terms of existence; that is, in depriving another of any of his rights we are taking from him some of his existence, for existence is qualitative as well as temporal; that is, it includes everything that gives to life content.

Thus, in this sense, a man of forty may have had more existence than another at eighty where the former's life has been broader, richer in experience and thought, and more valuable to others.

We may say in general that the existence of a person is beneficial or injurious in that degree in which it is beneficial or injurious to the community or humanity. This statement is based upon the truism that the whole is more than any of its parts.

The degrees of wrong, therefore, should depend upon the degree of danger or injury (*moral, intellectual, physical, or financial*) *which a thought, feeling, willing, or action brings to the community.*

This same principle should be applied to degrees of exaggerated wrong or crime.

But it may be said, should not the degree of freedom or of personal guilt be the main basis for the punishment of the criminal? The force of this objection is evident; historically, the idea of freedom has been the basis of criminal law; it has also been sanctioned by the experience of the race; and although no claim is made of carrying it into practice without serious difficulties in the way of strict justice (difficulties inevitable to any system), yet it has not only been an invaluable service, but a necessity to humanity. This is not only true on criminal lines, but this idea has been the conscious basis of our highest moral ideas.

But at the same time it must be admitted that the exaggeration of the idea of freedom has been one of the main causes of vengeance, which has left its traces in blood, fire, martyrdom, and dungeon; and though at present vengeance seldom takes such extreme forms, yet it is far from extinct. On moral and on biblical grounds, as far as human beings are concerned, vengeance can find little support; an example of its impracticability is the fact that some of the best prison wardens never punish a man until some time after the offense, so that there may be no feeling on the part of either that it is an expression of vengeance. The offender is generally reasoned with kindly, but firmly, and told that he must be punished, otherwise the good discipline of the prison could not be maintained, which means that he is punished for the good of others. With few exceptions, a revengeful tone or manner toward the prisoner (the same is true outside of prison) always does harm, for it stirs up similar feelings in the prisoner, which are often the cause of his bad behavior and crime, and need no development. Kindness with firmness is the desirable combination. Vengeance produces vengeance.

But, taking the deterministic view of the world, the highest morality is possible. One proof is that some fatalists are rigidly moral. A psychological analysis will show that persons who are loved and esteemed are those whose very nature is to do good—that is, they would not and could not see a fellow-being suffer; that is, from the necessity of their nature, they were from infancy of a kind disposition. We admire the sturdy nature who, by long struggle, has reached the moral goal; but we can not love him always. He is not always of a kind disposition; this is not a necessity of his nature. As the expression goes, "There are very good people with whom the Lord himself could not live."

Is it not the spontaneity of a kind act that gives it its beauty, where there is no calculating, no reasoning, no weighing in the balance, no choice? The grace of morality is in its naturalness. But go still further. Do we like a good apple more and a bad apple less because they are necessarily good or bad? And if we admitted that every thought, feeling, willing, and acting of men were as necessary as the law of gravity, would we like honest men less and liars more? True, we might at first modify our estimation of some men, but it would be in the direction of better feeling towards all men.

But, whatever one's personal convictions may be, questions of the freedom of the will and the like must be set aside, not because they are not important, but simply because enough is not known regarding the exact conditions (psychological and physiological) under which we act and think. If we were obliged to withhold action in the case of any criminal for the reason that we did not know whether the will is free or not (allowing for all misconceptions as to this whole question), the community would be wholly unprotected. If a tiger were loose in the streets, the first question would not be whether he was guilty or not. We should imprison the criminal, *first of all, because he is dangerous to the community.*

But if it be asked, how there can be responsibility without freedom? the answer is that there is at least the feeling of responsibility in cases where there is little or no freedom; that is, there is sometimes no proportion between the feeling of responsibility and the amount of responsibility afterwards shown. The main difficulty, however, is that in our present state of knowledge it is impossible to know whether this very feeling of responsibility or of freedom is not itself necessarily caused either psychologically or physiologically or both. If we admit that we are compelled to believe we are free (as some indeterminists seem to claim), we deny freedom in this very statement. Another obvious and practical ground for our ignorance as to this point is the fact that, although for generations the best and greatest minds have not failed to give it their attention, yet up to the present time the question remains *sub judice.* If we carried out practically the theory of freedom, we should have to punish some of the greatest criminals the least, since, from their coarse organization and lack of moral sense, their responsibility would be very small.

There is no objection to speaking of freedom in the sense that a man as an individual may be free in regard to his surroundings and can influence those around him, as is the case in strong characters which can be independent of their outward environment, and so act freely. But to say that within the man himself, within his character or personality (body and mind), there is freedom is going entirely beyond our knowledge, for there is little or nothing demonstrated concerning the workings or relations of brain and mind.

Dr. Paul Carus well expresses a similar idea when he says: "A free man, let us say an artist, full of an idea, executes his work without any compulsion; he works of his own free will. His actions are determined by a motive of his own, not by foreign pressure. Therefore, we call him free."

A scientific ethics must regard the question of freedom as an unsettled problem. Any ethics would be unethical in taking as one of its bases so debatable a question.

Our general, sociological, ethical principle (as above stated) is *that the idea of wrong depends upon the moral, intellectual, physical, and financial danger or injury which a thought, feeling, willing, or acting brings to humanity.*

But, accepting this principle, the important question is, just what are these thoughts, feelings, willings, and actions, and by what method are they to be determined? The first part of this question, on account of the narrow and limited knowledge at present in those lines, can be answered only very imperfectly, if at all. As to the method, that of science seems to us the only one that can eventually be satisfactory. By the application of the scientific method is meant that all facts, especially psychological (sociological, historical, etc.), physiological, and pathological, must form the basis of investigation. Psychological facts that can be scientifically determined, as affecting humanity, beneficially or not, are comparatively few in number. Physiologically, more facts can be determined as to their effect on humanity. But it is preëminently in the field of pathology that definite scientific results can be acquired. As to the difficulty of investigating psycho-ethical effects, it may be said physiological psychology and psycho-physics have not as yet furnished a sufficient number of scientific facts.

By the scientific application of chemistry, clinical and experimental medicine, with vivisection, to physiology, many truths of ethical importance to humanity are made known. But there is much here to be desired; for example, what is said about questions of diet and ways of living in general is scientifically far from satisfactory. The development of pathology in medicine has been without precedent. Its direct ethical value to humanity is already very great; but the outlook into the future is still greater. It is only necessary to mention the discovery of the cholera and tuberculosis germs (a *conditio sine qua non* of their prevention). Immunity in the case of the latter would be one of the greatest benefactions yet known to the race. Medicine can be said to be the study of the future, especially in the scientific and prophylactic sense. It is to experimental medicine that scientific ethics will look for many of its basal facts.

In emphasizing the scientific method as the most important it is not intended to exclude others. The *a priori* method has been of inestimable value to philosophy, ethics, and theology, and to science itself in the forming of hypotheses and theories, which are often necessary anticipations of truth, to be verified afterwards. The *a priori* method is related to the *a posteriori* method as the sails to the ballast of the boat: the more philosophy, the better, provided there are a sufficient number of facts; otherwise there is danger of upsetting the craft.

The present office of ethics is, as far as the facts will allow, to suggest methods of conduct to follow and ideals to hold that will bring humanity into a more moral, physiological, and normal state, enabling each individual to live more in harmony with nature's laws. Such an applied ethics must study especially the phenomena manifested in the different forms of pathological humanity and draw its conclusions from the facts thus gathered.

But there are many scientists who look with suspicion upon the introduction of philosophical thought and methods into their field. We may call them pure scientists; that is to say, those who believe that the term scientific truth should be applied only to that form of truth which can be directly verified by facts accessible to all. Yet from this point of view the arrangement, classification, formation of hypotheses and theories, or philosophical conclusions are not necessarily illegitimate, provided those processes are clearly distinguished from each other and rigidly separated from the facts. Perhaps the study which, more than all others, will contribute towards a scientific ethics is criminology, the subject-matter of which touches the popular mind very closely, owing, in a great measure, to the influence of the press; and though this has its dangers, yet it is the duty of this, as of every science, to make its principles and conclusions as clear as possible to the public, since in the end such questions vitally concern them.

Crime can be said, in a certain sense, to be nature's experiment on humanity. If a nerve of a normal organism is cut, the organs in which irregularities are produced are those which the nerve controls. In this way the office of a nerve in the normal state may be discovered. The criminal is, so to speak, the severed nerve of society, and the study of him is a practical way (though indirect) of studying normal men. And since the criminal is seven-eighths like other men, such a study is, in addition, a direct inquiry into normal humanity.

The relation also of criminology to society and to sociological questions is already intimate, and may in the future become closer. Just what crime is at present depends more upon time, location, race, country, nationality, and even the state in which one resides. But notwithstanding the extreme relativity of the idea of crime, there are some things in our present social life that are questionable. A young girl of independence, but near poverty, tries to earn her own living at $3 a week, and if, having natural desires for a few comforts and some taste for her personal appearance, she finally, through pressure, oversteps the bound, society, which permits this condition of things, immediately ostracizes her. It borders on criminality that a widow works fifteen hours a day in a room in which she lives, making trousers at 10 cents a pair, out of which she and her family must live, until they gradually run down toward death from want of sufficient nutrition, fresh air, and any comfort. It is criminally questionable to leave stoves in cars, so that if the passenger is not seriously injured, but only wedged in, he will have the additional chances of burning to death. It has been a general truth, and in some cases is still, that so many persons must perish by fire before private individuals will furnish fire escapes to protect their own patrons. It is a fact that over five thousand people are killed yearly in the United States at railroad grade crossings, most of whose lives could have been spared had either the road or the railroad passed either one over the other. But it is said that such improvements would involve an enormous expense; that is, practically, to admit that the extra money required is of more consequence than the five thousand human lives. And yet, strange as it may seem, if a brutal murderer is to lose his life, and there is the least doubt as to his premeditation, a large part of the community is often aroused into moral excitement, if not indignation, while the innocently-murdered railroad passenger excites little more than a murmur.

There is, perhaps, no subject upon which the public conscience is more tender than the treatment of the criminal.

Psychologically, the explanation is simple, for the public have been educated gradually to feel the misfortune and sufferings of the criminal; it is also easier to realize, since the thought is confined generally to one personality at a time. But if the public could all be eye-witnesses to a few of our most brutal railroad accidents, the consciousness gained might be developed into conscientiousness in the division of their sympathies. But this feeling, however paradoxical, is a sincere, though sometimes morbid, expression of unselfish humanitarianism; for the underlying impulses are of the most ethical order, and overcultivation is a safer error than undercultivation. The moral climax of this feeling was reached when the Founder of Christianity was placed between two thieves.

INSTRUCTION IN CRIMINOLOGY.

In a report prepared by Lombroso for the International Penological Congress is the question whether it will be advisable to organize instruction in penal science. That is, by what means could there be added the positive study of the facts and questions of application, without interfering with the performance of duties and without prejudice to the administration.

In our own country and Europe, both past and present, science and the university have not only done almost nothing, but have manifested little interest in criminological subjects. They have taken the position of the public that crime is a necessary and incurable evil, and so there is little use in troubling about it. Yet penitentiary and carcerial sciences are the most complicated and most susceptible to instruction of all other sciences. To construct the most healthy, most economical, and best adapted prison cell or workshop is a desideratum. The same is true as to the construction of women's prisons, houses of arrest for accused persons, innocent or guilty, and places for witnesses.

At present our jurists study law books much more than they do criminals; and yet perhaps one half of the time of our courts is confined to criminals. Criminals are considered by many jurists, prison employés, and the public as normal men, who are unlucky and unfortunate. The individual study of the criminal and crime is a necessity if we are to be protected from ex-convicts, the most costly and the most dangerous class we have. But the criminal can not be studied without being seen and examined. For the love of science and humanity we permit the examination of the sick, of pregnant women by young men, manipulation in surgical clinics of fractured members; the visiting, examination, and individual study of the insane, although these are sometimes injurious to the insane. But the criminal may not receive visits, may not submit to an anthropometrical examination. Why should criminals be so privileged a class? An accused innocent person may have his name and life, with photograph, published in the newspapers; and yet objections are raised to the study of habitual criminals for scientific purposes.

Benedikt, a specialist in craniology at the University of Vienna, says that to correct the criminal and protect society the criminal must be studied scientifically. For this purpose the universities, higher courts of justice, and prisons should have places for instruction and investigation.

According to Lambroso's idea, criminological instruction should comprehend: (*a*) A theoretical part on law, ordinances, and carcerial regulations, kinds of cells, etc.; (*b*) A study of criminal statistics, penal theories, conditional liberation, patronage, etc.; (*c*) Studies in criminal anthropology and psychiatry; (*d*) A wholly practical part, consisting of the examination of the places of detention, cells, etc.

In order to understand what the scientific study of a criminal means, we give in detail important points noted by Benelli, Tamburini, and Lombroso.

Generalities.—Name, age, country, profession, civil state.

1. *Anthropometrical examination.*—Development of skeleton, stature, development of muscular system, weight. Color: of skin, hair, iris, uniformly colored, double coloration, peripheral and central, non-uniformly colored, color predominant, color not predominant, beard. Piliferous system. Tatooing. Craniometry: face, height, bizygomatic diameter, facial type, facial index; nose: profile, dimensions, direction, anomalies; teeth: form, dimensions, anomalies; eyes; neck; thorax; lungs; heart; genital organs; disfigurements.

2. *Examination of sensibility.*—Touch: electric current, left hand, right hand, tongue; aesthesiometer of Weber: right hand, left hand, tongue. Pain: algometer of Lombroso: left and right hands, tongue. Sensibility: muscular, topographic, thermic, meteorological, magnetic, metallic, hypnotic, hypnotic credulity, visual, acoustic, olfactive, gustative, chromatic, sensual (generative); first sensual relations, aberrations; anomalies.

3. *Examination of motility.*—Voluntary movements: gait, speech, language, writing, reflexes; muscular force; dynamometry; manual skill; anomalies.

4. *Examination of vegetative functions.*—Circulation, respiration, thermogeny; digestion; secretions: saliva, urine, sweat.

5. *Psychical examination.*—Perception (illusions); ideation (hallucinations); reasoning; will (impulsion); memory; intelligence: works, writings; slang; conscience; sentiments: affective, moral, religious; passions; instincts; sleep; moral sense; habitual expression of physiognomy; psychometry; anomalies.

6. *Anamnestic examinations.*—Family, parents; state of family; daughters, sons; age of parents; history, diseases, crimes of parents. Precedents; education, instruction, intellectual and political development, diseases; traumatic accidents, crimes, habitual character, occupation

preferred. Latest information: last crimes, cause of crime, repentance, admissions, nervous diseases and mental anomalies (intercurrent); inquiries.

CRIMINOLOGICAL LITERATURE.

L'homme criminel, étude anthropologique et médico-légale, par CESARE LOMBROSO, traduit sur la IV^{e} édition italienne, avec préface par M. Letourneau. Paris, 1887. pp. 682.

The first motive in our savage ancestors was the necessity of self-defense, reflex action, blow for blow. In plants we find the equivalents of crime, in the case of certain species which entrap and kill insects. In animals acts are more similar to those of man, are more mechanical, having slight traces in consciousness. In men continual aggressions gave rise to balancing wrongs, and vengeance appeared, giving the law of primitive justice, retaliation, which became a duty. But as some of the particulars of this law were overlooked, the legal power became a sort of revindication; the punishments were of the most cruel nature. To-day there is a vague feeling, an echo of an ancient retaliation in our punishments. If punishment rests on free will, the worst men, the criminals by nature, should have a very light punishment or none. Penal repression should be based on social utility scientifically demonstrated; instead of studying law texts, we need to study the criminal. The criminal by nature has a feeble cranial capacity, a heavy and developed jaw, a large orbital capacity, projecting superciliary ridges, an abnormal and a symmetrical cranium, a scanty beard or none, but abundant hair, projecting ears, frequently a crooked or flat nose. Criminals are subject to Daltonism; lefthandedness is common; their muscular force is feeble. Alcoholic and epileptical degeneration exists in a large number. Their nerve centers are frequently pigmented. They blush with difficulty. Their moral degeneration corresponds with their physical, their criminal tendencies are manifested in infancy by onanism, cruelty, inclination to steal, excessive vanity, impulsive character. The criminal by nature is lazy, debauched, cowardly, not susceptible to remorse, without foresight; fond of tattooing; his handwriting is peculiar, signature complicated and adorned with flourishes; his slang is widely diffused, abbreviated, and full of archaisms. In their associations they return to primitive social forms. The general cause of the persistence of an inferior race type is atavistic. As the born criminal is without remedy, he must be continually confined, and allowed no provisional liberty or mercy; the ancient tradition of vigorous initiatives should be upheld; the more we diminish individual responsibility, the more we increase that of society, which is still more severe. Nature is responsible for the born criminal, society (in a great measure) for the criminal by occasion.

The work is full of facts; it shows the sincerity and patience of the author, who is an expert experimenter, and a person of philosophical acuteness. He has given an extensive description of the born criminal considered physically, morally, and intellectually. The author seems to us to go too far in holding to the incorrigibility of the born criminal, and in not allowing him provisional liberty; the incurability of the recidivist is pushed too far, for neither of these positions is supported by a sufficient number of scientific facts.

La criminologie, étude sur la nature du crime et la théorie de la pénalité, par R. GAROFALO, agrégé de l'université de Naples. Paris, 1888. pp. 420.

The science of pœnology must not rest on the idea of freedom, which is in contradiction with scientific facts; on the idea of freedom the hardest criminal should go free, as he has least control over his acts. The pœnological criterion is social necessity, abandoning the idea of moral responsibility of the individual. The present system has neither cured nor terrified the prisoner; after his sentence is served he is as dangerous as ever. The laws should be changed so as to be in accordance with criminological facts. Crime is a harmful action, that injures at the same time the moral sense of aggregate humanity. Murder, parricide, infanticide, robbery, have not always been crimes; but the analysis of the sentiments and not of actions is the basis for a criterion. The race possesses innate moral instincts as it does a physical type; when the moral sense becomes psychical it is subject to alterations, diseases, can be lost or is wanting, and is like any other organic monstrosity. The moral sense of aggregate humanity consists only in the altruistic sentiments which can be reduced to benevolence and justice. A crime is the violation of the elementary altruistic sentiments of pity and probity. In Europe the relative increase of crime has advanced with civilization, which shows that the present methods are almost a failure. Punishments have become less severe; moral responsibility is more considered, and capital punishment is rare.

A criminal type is as well established as an Italian type; not a single characteristic constantly distinguishes this type, but the proportion of congenital anomalies is larger in any given number of criminals than in an equal number of noncriminals. Recidivation of the criminal is the rule, reformation the exception. The absence of elementary moral instincts is not an infirmity; instinctive criminals are not sick nor insane; perversity is natural. The criminal is a being at present unadapted to surrounding circumstances; he is a monster, and presents the traits of past racial regression. All criminals are born, but predisposition does not exclude the influence of surroundings. One class of criminals are those with regressive, arrested moral development, innate criminals; for these society has but one remedy, elimination. Another class are those somewhat deficient in the feeling of pity; and a third class lack the sentiment of probity. Atavistic perversity exists in spite of the best surroundings; the influence of intellectual instruction is almost null. In Spain, where two-thirds of the population are illiterate, criminals are few. Religious instruction, if begun early, and if its purpose is moral teaching, has good influence, except in the graver cases. Crimes due to cupidity will not cease by bettering the social conditions. Economic conditions may change the form of crime, but they are not a cause of crime in general. In the first half of this century a high degree of criminality was greatly reduced; in the second half (1828–'84) crime has increased enormously and punishment has been made milder; the increase of recidivists is greater than that of all criminality; this points to a concentration which should render its prevention easier. Murder severely injures the moral sense of the community; a reaction in the form of desire of exclusion from society is produced through lack of adaptation. The only absolute means of exclusion is death, but this applies only to the criminal by nature. It is the duty of society to eliminate those who are utterly unadapted to society. Punishment is not to punish the criminal, but to eliminate him absolutely or partially. The death penalty has given England the fewest criminals of all Europe. The common ideas that there is no crime without moral responsibility and that punishment should be in proportion to the gravity of the crime are incompatible with scientific facts. It should be first determined to what class of criminals the culprit belongs; a man who hires an assassin to kill the individual who outraged his family is quite a different criminal from the assassin. The cause of a murder and the absence of any grave injury on the part of the victim are the criterions to be substituted for premeditation. The worst criminals commit murder without premeditation; but in the case of the criminals by occasion premeditation indicates a cruel nature, and elimination may be necessary; for the other classes of criminals, deportation, fine, removal to another environment, agricultural colonies, work for the state, etc. The controlling ideas of the author are social utility and the natural reaction against crime.

The author's extensive experience as a magistrate gives peculiar interest to his views on the pœnological side of criminality. He seems to us to draw too sharp a line between abnormality and disease. The born criminal is wholly teratological, a moral monster; but a teratological characteristic may arise from a deviation in utero—a real disease of the egg. His insistence on the absolute elimination of the born criminal is extreme; first, because it assumes the criminal's utter want of adaptation to society, which is not warranted by a sufficient number of facts; second, admitting his want of adaptation, we fail to see why a society in which the public conscience is highly sensitive might not substitute perpetual detention; for it is a question of social utility whether the hardening of the public conscience is not morally injurious.

La Recidiva nei reati, studio sperimentale. Giuseppe Orano. Roma, 1883. pp. 298.

The author considers recidivity theoretically in the first part of his book, and experimentally in the second part. After taking up the general notion and legislation of recidivity, and the dissension between criminologists as to the legitimacy of the threatened repression of the recidivists, he passes in the second part to the question of the aggravation of punishment in respect to age and physical conditions, and to the relations of recidivity to insanity, and comes to the following conclusions: Such ideas as the relative insufficiency of objective physical force of punishment on account of the insensibility which the criminal opposes to it, the contempt which the guilty one manifests, the social danger which comes with the relapse, the consequent necessity of hindering this by the menace of a greater castigation, are abstract considerations, *a priori* criteria, bereft of the aid of positive inquiry, and consequently more hypotheses and conjectures than reasons. Thirty per cent of the criminals in Italy are recidivists. In France it was 43 per cent for men and 31 per cent for women in 1867; in Belgium at that time it was 45 per cent and in Austria 59 per cent for men and 51 per cent for women; in Switzerland 45 per cent. The average shows that 45 per cent of criminals are recidivists. The second and successive punishments are in general expiated in that period of time in which the human organism commences to lose its natural vigor; there is thus a certain aspect of injustice and inutility in punishing the recidivist. There is also a greater bitterness in a second or successive punishment between the ages of 25 and 30, the period in which recidivity is most conspicuous. As to the relation of recidivity to the carcerial system, some of the most illustrious and competent men say that about six-sevenths of the men are allured into relapse. Beranger says it is the prison which makes the recidivist. The influence of surroundings can be greater or less, but it does not affect substantially the great damage done by increasing the punishment of recidivists.

Internationale kriminalistische Vereinigung; Erste Landesversammlung der Gruppe deutsches Reich. Halle a. S., den 26. und 27. März, 1890.

The German division of the International Penal Association met in March, and discussed the following questions: (1) Under what presuppositions is the introduction of the conditional sentence into German legislation expedient? (2) How is the fact of recidivation to be determined legally; and what means of punishment are to be recommended for the incorrigible? After many varied modifications the association finally voted on the following questions: (1) Is recidivation to be assumed if the new and former criminal act lie in the same penal grade as designated by legislation? (2) Should recidivistic superannuation be admitted? (3) Should repeated recidivation form a necessary ground for sharpening the punishment? (4) Is a relatively increased restraint upon freedom to be recommended as a means of punishment for repeated recidivation, with the permission of imprisonment in the workhouse as a consequence? (5) Should the law touch upon regulations which insure the permanent separation of evil doers (considered by the penal magistrate as incorrigible) into special divisions, of prison, workhouse, or insane asylums? (6) Should a conditional release after five years' detention be granted to those considered incorrigible? The association affirmed unanimously questions 1, 2, 3, and 6, and by a large majority questions 4 and 5. Another question was: Is it expedient to prepare jurists practically and theoretically (*i. e.*, by training in psychiatry, criminology, etc.) for the penal executive? (*a*) before; (*b*) after the state's examination. The main question was almost unanimously affirmed. After the laying aside of the subordinate question *a*, subordinate question *b* received a large majority of the votes.

Compte général de l'administration de la justice criminelle, 1887. Revue Scientifique. 8 Mars, 1890.

The official report of criminal justice in France for 1887, published in 1889, gives a good idea of French criminality. On looking at the maps it would seem at first sight that the high degree of criminality in the large cities was due to population, but a more thorough examination shows that it depends on ethnographical conditions. All the north and northeast of France (Normandy, Isle of France, Champagne, Picardy, Flanders) show a high criminality; below (Sarthe, Orne Eure-et-Loir, Loiret, Yonne) a medium degree; and in the center, west, and south of France criminality is feeble, with the exception of the border provinces (Basses-Pyrénées, Haute-Savoie, Savoie, Doubs, Vosges), which give a more elevated degree of criminality than the west and center of France, in which the mortality is greater than in the other provinces. The map of suicides corresponds exactly with that of criminality, except in Corsica, where there are very few suicides. The constant progression of suicide (not special to France) deserves attention.

Year.	Absolute number.	Number per 100,000 of population.	Year.	Absolute number.	Number per 100,000 of population.
1872	5275	15	1882	7213	19
1873	5525	15	1884	7572	20
1874	5617	16	1885	7902	21
1878	6434	17	1887	8202	21
1879	6496	18			

Comparing the number of crimes from 1871 to 1887, the statistics are as follows:

	1871–1875.	1876–1880.	1881–1885.	1886.	1887.
Parricides	10	10	14	13	23
Poisoning	17	14	10	8	8
Assassination	201	197	216	234	234
Infanticide	206	194	176	166	160
Murder	163	143	186	174	186
Unchastity	851	899	783	712	654

Since the population from 1871 to 1887 has increased, the table shows a tendency for crime to lessen, although it is feeble. While foreigners furnish 10 per cent of the crime, they constitute only 3 per cent of the population. The percentage of recidivists has continually increased: In 1871–1875, 47 per cent; in 1876–1880, 48 per cent; in 1886, 56 per cent; and in 1887, 54 per cent.

Alcoholism has diminished greatly: From 1873 to 1875 it was 81,416; from 1876 to 1880, 75,026; from 1881 to 1885, 67,155; in 1886, 61,346; and in 1887, 59,098.

In looking at the above results we are struck with the large proportion of crimes against chastity. The fact that suicide is so low in Corsica, while other crimes are numerous, suggests the law of antagonism between suicide and crimes of blood. According to these figures France (looked upon by some as a wicked country) is about the only place where crime is decreasing.

Ueber die körperlichen und geistigen Eigenthümlichkeiten der Verbrecher, Dr. v. Hölder. Archiv für Anthropologie, Januar, 1889.

The writer gives a short survey of facts taken from his varied and extensive experience as guardian of the insane and administrator of penal justice and prisons. His craniological remarks and his distinctions between insanity and criminality are especially valuable.

Though many characteristics are common to the insane and criminal, one is not justified in doing away with freedom of will; for criminals are not sick, like the insane. It is impossible from cranial asymmetries to conclude as to psychical characteristics. Physical signs of degeneration indicate nothing further than the presence of a tendency to psychical degeneration. It is scarcely a pardonable error to consider every man with these characteristics as a predestined criminal, as some of the Italian school would do (Garofalo).

The great influence of occupation, education, poverty, rough-handling, and misery is self-evident. In such cases, where the tendency has a certain intensity, deformations and even physiognomical peculiarities form an important factor in patho-psychical degeneration. The most important of these symptoms are found in the head and genital organs. Most of the characteristics come from the premature growing together of the sutures. The dropsy of the pia mater can enlarge the cranium in all directions, so long as the sutures in childhood are capable of considerable extension; in the later growth of the edges the coronal suture remains an annular transverse depression from rachitis; a further misformation from the same cause is a flattening or deep depression around the occipital fossa. The inferior degrees of asymmetry of the two lateral cranial sides occur without the premature growing together of the sutures. This is mostly hereditary. The tying up of the head, as practiced in the south of France, has no influence on psychical development. If several sutures grow together in fœtal life or soon after birth, as in idiots, the form of the cranium is little changed, except it remains microcephalic. If the premature closing of several sutures occurs at the same time, if the height increases at the expense of the width, the head becomes pointed; if the breadth is at the cost of the height, we have a pathological flat head. Premature closing of the frontal suture makes it smaller, low and flat, and causes the orbital arches to project out. The closing of the sagittal suture makes the cranium very long, small, and high; both these forms are more frequent in dolichocephaly than in brachycephaly. By the closing of half of the coronal suture a crooked growth of the cranial roof takes place, which in its highest degree produces a kidney-shaped form (plagiocephaly). The closing of one side of the occipital suture makes the corresponding side flatter than the other.

These malformations are accompanied by those of the face. There is the bird face of the microcephalic heads, and the flattened upper part of the face of the pointed heads; further a high degree of asymmetry of both sides of the face; the bent and flattened nose; so the asymmetry of the orbits; here belong the cases where the under jaw projects beyond the upper and *vice-versa;* and also where there is a bending of both rows of teeth; the gums are often too flat, too wide, and too small; there are squinting of the eyes, division of the iris; and sometimes skin duplicature in the corners of the eyes reminding one of the mongolian duplicature. The signs of degeneration in the ears are their smallness, great length or want of developed muscles; and very small laps, that grow on.

The deformations of the genital parts have a special diagnostic value, because a part of them in both sexes leads to sexual disorders of every nature, which are causes of mental troubles. The most frequent deformations are: atrophy of the testicles, phimosis, stunted or deformed penis; fissure forms of the urethra, growing together of the penis with the scrotum, hypertrophy of the clitoris, closing of the back part of the vagina. Stunted growth, club foot, and corresponding deformations in arms and hands are seen in the skeleton.

The lowest degree of all the deformations are directly connected with individual oscillations within the sphere of normality. Dr. Seiffer from the examination of a large number of criminals found 47 per cent with at least one of these signs of degeneration; 10 per cent had cranial and facial anomalies. These deformations are rarely greater in criminals than in normal men, except in criminal idiots or cretins. Physiognomy stands in close relation with facial and cranial signs of degeneration. Habits, however, have great influence; the passage to prison physiognomy is gradual. In prison garb a face makes quite a different impression. Some criminals change their looks very much. Out of 1,022 portraits it was impossible in many cases to pronounce one a criminal from his physiognomy; one will see the features of the insane.

There are two classes of criminals: First, criminals by occasion; second, recidivists. The basis of all criminality is ineradicable tendency to lying. Men furnish almost six times as many criminals as women;

it is easier for men to overstep the bounds of morality and custom. Most women criminals lose every trace of womanhood in demeanor. Criminals by occasion are those who become so through levity, passion, imprudence, unfavorable surroundings, and, above all, through abuse of alcohol. According to Baer 50 per cent of all crime comes from alcohol, three-fourths are crimes against the person, and only one-fourth against property, while the reverse is true with the recidivists. Minor criminals are to a large extent capable of improvement. To accomplish this, the perversity and exceptionableness of their actions must be recognized. The infanticides are the best of all criminals. The recidivists should be divided into two classes: one class includes those who for the most part have no mental or bodily signs of degeneration, caused by bad bringing up, society, poverty, sexual disorders, and those who make crime a trade or as a vengeance for injustice suffered. The improving of these is rare. The second class of recidivists comprises those with inborn criminal inclinations. In prison they are inclined to coarseness, boldness, resistance, and willful spoiling of their clothes; they may be regarded as in the first stages of insanity. But legally the recidivists are sharply distinguished from the insane. Delusions disorder the judgments of the insane, but not so in the case of the recidivist. Thieves, swindlers, and incendiaries, if not insane, are cowards; robbers and murderers are little affected by fear. Between mental health and insanity there are many cases of hereditary anomalies: nervousness, irritability through the least cause, peculiar unconquerable inclinations, eccentricities, propensity to dissolute ideas with no purpose, a mingling of contradictory peculiarities, of one-sided mental powers, this all united with a weakness of deliberation; here belongs also the inborn criminal instinct. According to Richter, most crimes, especially murder, audacious burglary, common theft, embezzlement, resistance of state power, come by epileptics or in those with a tendency to epilepsy. Those addicted to alcohol are light offenders. Those with hereditary mental weakness are given to crimes of unchastity.

The class of recidivists is a mixed one: (1) Those who have a positive tendency to insanity or epilepsy; (2) those whose family antecedents plainly lead them to crime; (3) those whose morality and sense of honor are destroyed through training and environment.

Criminal phenomena and manifestations of insanity are a distorted or diseased expression of mental activities which by themselves are present in everyone; but in some they develop in one or the other direction. No one is sure that his mental soundness can not be endangered through outer or inner troubles or that he can escape inclinations, which might lead to crime. The increase of crime keeps step with that of population, or, rather, with its increase in density, as in large cities. The increase of both insanity and criminality is due to overpopulation.

Psychologie naturelle, étude sur les facultés intellectuelles et morales dans leur état normal et dans leurs manifestations anomales chez les aliénés et chez les criminels. PROSPER DESPINE. Paris, 1868 (3 vols.).

This is an epoch-making book in criminal psychology and, though not a late work, is full of valuable information. Volume 1 takes up normal psychology; volumes 2 and 3 abnormal psychology.

The author defines pschyology as the science of the mental faculties and of their diverse manifestations; psychology should not depart from the study of nature; all metaphysical questions must be set aside, since they do not come from observation. There are two species of psychical faculties, the intellectual and the moral. The intellectual are perception, memory, and reflection. The moral faculties are instinctive. The moral sense is the only one of the instinctive faculties which is not only moved by an egotistical motive, but by the idea of duty and obligation, and this in spite of the pain it causes.

The author believes in freedom of will when the feeling of duty enters in; but in case of simple desire there is no freedom. Freedom of will, or moral liberty, is the power which decides between the good and the evil after a deliberation made clear by the sentiment of duty. Much emphasis is put upon this point. Criminal psychology is treated somewhat extensively, taking up especially parricides, homicides, infanticides, suicides; incendiaries, thieves, prostitutes; prisons, death penalty, and prevention. The author, although a spiritualist or idealist, confines himself to the facts of natural science. Insanity is the involuntary blindness of the mind by the passions, which inspire false ideas; but its essence is the absence of moral opposition, of reason, and of light, clarifying the mind.

Most of the facts, taken from the account of criminal processes in the Gazette des Tribunaux from 1825 to 1868, lead the author to hold that the great malefactors are deprived of the noble sentiments of humanity, especially of the moral sense, and so are not responsible. This is shown, first, by the absence of moral reprobation before the crime and, second, by absence of remorse after the crime. Perversity, which gives the idea and desire for crime and moral insensibility, including the absence of elevated moral sentiments, are the two conditions necessary to the commission of crime.

On account of the grave moral anomaly of the great criminals, punishments are not suitable; but moral treatment is required. The purposes of this treatment are: to cease to punish cruelly the moral insane or criminals, for it renders them worse, and to ameliorate them as much as possible, that they may not be returned to society unless they are capable of conducting themselves well. It is an honor to humanity that the moral laws are not seriously violated by crime, for these laws are not in the consciousness of criminals. The author concludes his whole work in saying that the psychological ideas set forth do not touch in the least the eternal principles of morality and justice which God has placed in human hearts. According to these principles, individuals deprived of free will should not be punished, but treated morally; individuals who possess free will, and who at the same time freely commit faults, should be punished, in spite of their sincere regret, for these punishments are merited.

Hypnotism and Crime, Dr. J. M. Charcot. The Forum, April, 1890.

There is comparatively little written on criminal hypnotism. The ideas as set forth by the originator and leader of the Paris school are of all the more interest. Persons susceptible of hypnotization are nervous and capable of becoming hysterical, if not actually so, at the beginning of the experiments. Hypnotism and hysteria are near akin. Hypnotism is a genuine neurosis, not a physiological state. There are three states: lethargy, catalepsy, and somnambulism; in the first two, particularly in lethargy, there is absolute unconsciousness, the subject is motionless, his will in abeyance, there is no suggestibility. In the third state the subject hears, sees, receives, and carries out suggestions given by the one who hypnotized him. An important fact is that on awaking he recollects, outside of the suggestion given him, nothing that has happened during the sleep; but he will recollect it in a second period of hypnotic somnambulism, unless a contradictory suggestion be given. This loss and this recovery of recollection under fixed conditions is important in medico-legal hypnotism.

Rape and attempts at rape are the most frequent crimes upon hypnotized persons. Gilles de la Tourette is able to cite five cases of this class developed in action at law—not a small number, considering the difficulties of detection. The problem to be solved is this: "Given the suggestibility of a somnambule, can one use him to do a criminal act to which he would never have consented outside of the hypnotic sleep?" Suppose a subject put to sleep, and in the somnambulic state he is told: "You know A.; he is a contemptible fellow and is ever trying to injure you. He must be put out of the way. Here is a dagger, to-morrow you will go to his house and stab him. You are not to remember that I ordered you to kill him, even if you be hypnotized again." This can be done in the laboratory.

But some subjects refuse to obey; the training of subjects is not easy; it takes time, and suitable subjects are not numerous. Suppose the subject is ready to act, but the victim does not pass, what happens? In most cases a fit of hysteria, or an attack of acute delirium, or of babbling mania. Thus, it is as important that the conditions be realized as that the suggestion be accepted. Now, no one has been able to discover one single crime of this kind actually committed in real life. A criminal desires first of all to escape punishment; he will not make sure of his revenge and conceal himself from prosecution by putting a weapon in the hand of a lunatic somnambule. Suppose a somnambule signs a check; on awaking he will hardly part with his property without protest. He will ask himself how he came to sign such a paper; an investigation might be embarrassing to the holder of the check. Although the courts will seldom be called upon to consider crimes committed by somnambules or upon somnambules, yet there is danger in another direction, that is in the injurious effects of ill-advised hypnotizations by persons who are not physicians. We can track a "showman magnetizer" by the persons he succeeded with, who become nervous and irritable; some fall into deep sleep out of which it is difficult to bring them; they are unfitted for duties of daily life. Others, and they are the majority, have convulsions resembling the crises of confirmed hysteria. Hypnotism should be confined to the medical profession. The expert in court has to inquire if the subject has an affection capable of coming from ill-advised hypnotism. He ought not to go beyond the formula: "The individual can (or cannot) be put into the hypnotic state."

Les Suggestions Criminelles, Leçons professées à la Faculté de Nancy, par M. le Professeur BERNHEIM. Revue de l'Hypnotisme, 1 er Mars, 1890.

This article, written by the leader of the Nancy school, brings out clearly the main point of difference between the two schools. Free will and responsibility are problems that present themselves to us. We are all suggestible in a certain measure; our reason leaves us sometimes; evil thoughts creep into our imagination out of our control; the thought tends to become an act. To what degree can we resist this tendency? Can it not impose upon us the law of ideo-motor or ideo-dynamic automatism, which transforms the idea into action? Can crimes be committed by suggestion? The Nancy school replies affirmatively. Liébeault, Liégeois, Beaunis, and Bernheim say that certain somnambulists can, under the influence of suggestion either during sleep or after wakening, execute with docility what they have been ordered. Numerous experiments should carry conviction.

The Paris school, with Charcot its eminent head, Brouardel, and Gilles de la Tourette replies in the negative. It is said that the crimes we cause to be committed are those of the laboratory; that if we give to a man a paper knife with which to kill his neighbor, he knows that the knife is harmless; his confidence in us renders him obedient to the suggestion. This is true in certain cases; the somnambulist knows it is a representation, and plays the comedy which we desire him to play. It is sometimes so in natural dreams; we know that we dream; we dream passively; we endure the most terrifying things without feeling any emotion; the heart-beat and respiration are not accelerated; we are indifferent to the drama in which we are actors; the individual is as if he had to do with another of his selves; the conscious being is awake by the side of the new being, the subconscious. The feeling of our identity is stronger than that of the hallucination, which strikes our sensation without reaching the moral foundation of our being. The same is true of certain hypnotized persons. I say to the subject, "The dog will bite you," but he puts his hand upon the dog without the least dread. Other subjects resist suggestions; they retain a certain initiative. I command him to steal a watch, but he refuses; his moral character is a primordial anterior suggestion that neutralizes these other suggestions. But there are others who have no power of resistance; the subconscious in them annihilates their conscious being; these will commit crime. So in natural sleep we have dreams in which we are not ourselves; we fall from a precipice; we are terrified, respiration is anxious, the face pale; we groan in our sleep. There are a sufficient number of cases where crime has been committed during natural somnambulism. Can this not be true in provoked somnambulism?

The author gives the case of a young artist to whom he had suggested to steal his watch when he should awake, which he did without hesitating, and, when discovered, was confused, trembling, imploring them not to arrest him; this latter was a real emotion; the subject was honest by nature. Among somnambulists who act post-hypnotically there are some who do it as impulsive epileptics. Sometimes the epileptic knows that he kills, but does not know why. The insane sometimes say, "I have a foolish idea to set fire to the house or kill my child." Why, to what purpose? Do you not love your child? "Yes, I love him; I know it is wrong; I have no reason to kill him." In hypnotism a similar psychical state is realizable; it is a blind, instinctive impulsion, without reason; it is an impulsive insanity. There are others who do not act abruptly. The operator said to one during his sleep, "When you awake you will steal my purse on the table." On awaking he did. He was asked, "Why have you stolen?" He answers, "It is to take what you owe me; I lent you some money and you have not returned it; it is a restitution, not a theft." In this case I did not produce a perversion of the moral sense. Imagination turned the difficulty; it suggested to the subject a retroactive illusory memory through which the theft became allowable. To the subject was said, "Here is a pistol, and when you awake you will shoot this man." On awaking he does it. I ask him why. He replies that the man insulted him, had pointed a pistol at him; so he defended himself. Hallucination, like imagination, furnishes a rational pretext. This hallucination can be created, if auto-suggestion does not interfere. One can say to the patient, "Here is a man who has seduced your wife; when you awake you will avenge your honor and kill him." It would be still easier to suggest crime to those who love it, because there is no moral conscience to reject the suggestion. It is difficult to say whether a person with a developed moral sense could be directly so enfeebled or perverted as to commit a crime. But it is certain that an honest man can, when carried along by an impulsive giddiness, delirious idea, or halluciation. The nihilists, anarchists, socialists, revolutionists can become criminals by suggestion. The excited crowd, hearing the words, "spy," "traitor," become ferocious and bloody, and rush upon some innocent person. It is a collective suggestion, a blind passion that carries the masses. The brute nature is unchained.

It has been objected that there is not on record a case of crime committed under the influence of hypnotic suggestion. This is possible; hypnotizers are not generally criminals. But if a hypnotizer was a criminal he would not tell it to the person he hypnotized, much less to anyone else. The truth is, suggestion plays a rôle in many crimes. There is hypnosis without sleep; suggestion can occur during the waking state; some persons are normally very suggestible; a word can produce in them analgesia, catalepsy, hallucinations, acts; the suggestion is made without their knowledge, and sometimes the suggester is unknown to them.

These ideas find their application: A young lady of good principles, honest and of sweet disposition, marries. The first years are happy. A young man gains control of her. Her husband, involved in difficulties for subsistence, neglects her. Later her husband meditates vengeance against this young man, who, having seduced his wife, established a rival business, which prospered, while his own was in peril. To satisfy his vengeance he gained again the heart of his wife, and persuades her that his rival is the cause of their trouble, and hints that he ought to be killed. Docile and yielding to threats, she arranges a meeting with her lover under the pretext of renewing old friendships. She goes there; she enters the "Madeleine" to pray; then coldly, without emotion, she conducts her lover to her husband, who assassinates him. No regret, no remorse troubles her conscience. Nothing in her antecedents had indicated such monstrous moral perversity. Before the jury, the matron of her "pension" testified to her sweetness of disposition. Another testified she was like soft dough; she went to vice as well as to virtue. Her brain was open to all suggestions.

De la Criminalité en France et en Italie; étude médico-légale. Dr. ALBERT BOURNET. Paris, 1884. pp. 153.

The author is a pupil of Lacassagne. The book is important as treating of the statistical criminology of France and Italy. The following are some of the general conclusions:

(1) In France criminality has more than tripled; this increase is due especially to the modifications of legislation; crimes against the person have varied little, but rather increased than diminished. Corsica, where crimes are still very frequent, is a veritable disturbing element. Crimes against property are diminishing.

(2) In Italy crimes of blood are three times more numerous than in France, and murder is six times as frequent.

(3) Assassination is on the increase in France, while in Italy it is diminishing; yet it remains twice as frequent as in France.

(4) There is a notable diminution in poisonings in both countries, the number being the same in the two countries.

(5) Violations and crimes against chastity are infinitely less frequent in Italy. In France these crimes are increasing at a frightful rate, especially among children.

(6) In France infanticide is twice as frequent as in Italy; while parricide is twice as frequent in Italy as in France. Abortion is about the same in both countries.

(7) In France and Italy the law of antagonism between suicides and crimes of blood is manifest; in France suicide has been constantly increasing, especially in the army, where it has doubled within the last ten years.

De la suggestion hypnotique chez les criminels, par le Dr. Em. Laurent. Revue de l'Hypnotisme, 1 er Août, 1889.

The writer takes up in detail a hysterical individual accused of comlicity in theft, and shows how that hypnotization is negative in results as to gaining a confession from the accused. The following conversation took place while the accused was in the hypnotic state:

Laurent. You are accused of complicity in theft. Patient. I am innocent. L. You knew, however, that the horse and carriage had been stolen? P. No, no; I didn't know anything about it. L. You knew it. P. I swear to you I did not. L. I tell you, you did know it. P. No (already more softly). L. I assure you that you knew it; you knew it. P. Yes, I knew it. L. Are you sure you knew it? P. I knew it. L. (again). You did not know that the carriage had been stolen? P. Yes, I knew it. (Thus it is evident that the will of the patient has been conquered by the will of the hypnotizer.) Dr. Laurent continues: You did not know that the carriage had been stolen. L. Yes, I knew it. P. No, I tell you, you did not know anything about it. P. No; I did not know anything about it. At this moment we do not know whether the patient knows it or not. Dr. Laurent says that the present state of our knowledge does not permit us to know whether the person hypnotized obeys his conscience or his will, which holds him under its dependence. We may add that little children on the witness stand can be made through the overbearing manner of the examiner to confess things about themselves or others that have been solely suggested at the time.

Dr. Laurent has an article in the same review for November 1, 1889, considering the influence of suggestive action over hysterical prisoners. A hysterical person is often wholly at the mercy of his surroundings. At one time he loves to engage in prayer, at another to go on a debauch. It is evident that such a person coming out of prison will be more dangerous than ever. The doctor cites cases from his own experience where the prisoners have made their hysterical comrade believe all sorts of absurdities about himself. He terms this a sort of suggestion *à froid*, a hypnotism in the walking state. Without doubt the suggestive action is less than in sleep; still it has its forces. He gives also an illustration of self-hypnotization in the case of a hysterical prisoner, who within a few days after his entrance into prison learns the customs, language, and tastes of the place, and believes himself to be one of the greatest of criminals; he can be made to injure other prisoners. The practical conclusion of the article is that all hysterical prisoners should be isolated, and placed under the charge of a physician, on account of the pernicious moral influence the prisoners have over them.

Contribuzioni allo Studio dèlle anomalie del pterion nel cranio umano, ricerche di anatomia. Drs. F. Marimo e L. Gambara. Archivio per l'Antropologia e la Etnologia. Firenze, 1889.

The anomalous data of the wormian bones of the pterion are found in almost all races, and prevail in the inferior races. As to the greater frequency of these bones in criminals as compared with normal men, Lombroso finds 16 per cent in normal men, 23 per cent in criminals, and 18 per cent in the insane. Out of 114 craniums, these authors found 28 with this anomaly (24 per cent). The wormian bones of the pterion are more frequently united to each other in criminals than in normal men; according to Lombroso, 59 per cent in criminals, and 68 per cent in the insane, and 28 per cent in normal men. These authors find the anomaly in prisoners 71 per cent. The presence of the wormian bones in the pterion is associated with the occipital median fossa; in normal men 4 per cent, in criminals 16 per cent, in savages 26 per cent, in the insane 14 per cent, in monomaniacs 16 per cent, according to Lombroso. The authors find that, in connection with the greater frequency of the pterion bones in criminals, there are other defects or arrests of development, and that this coincidence occurs more frequently in criminals. One thing that gives especial value to these results is, that the authors had access to a number of Italian museums.

Tipi di criminali nati, Guido Rossi e S. Ottolenghi, Archivio di Psichiatria, Scienze Penale ed Antropologia Criminale, Vol. xi, Fasc. 1. Torino, 1890.

As an example of the way in which criminals are studied by the Italian specialists, we give the details of a single case.

The writers investigated two cases of typical born criminals. The first case (by Rossi) is as follows: S. C., 38 years of age, born in Turin, a type-founder by trade, condemned twice: the first time, ten-year sentence for cruelty to father. While in prison he attempted suicide twice. Being unable to work, he wrote his history upon a vessel. Always suffered sensations of heat in the head; was subject to vertigo; had an alcoholic attack and epileptic prison insanity—*follia carceraria epilettica*—during which he broke the glass in the window, for having been punished excessively; did not think in such moments of the possibility of being punished again; had a true morbid epileptical hypochondria. His physical examination gave: Pallid skin, thin chestnut hair, abundant beard, thin mustache, blue iris; nose long and crooked; teeth: median incisors hypertrophied, the lateral decayed; slightly projecting ears, squint in left eye, paralysis of the eyebrows. Craniometry: anterior-posterior diameter, 182 millimeters; transverse, 151; anterior-posterior curve, 340; transverse, 317; total circumference, 540; cepalic index, 83; cranial capacity, 1,530; a depression at the union of the frontal and parietal, not evident whether it is due to a wound or not; lacks the ethnic type; a scar on right hand, arising out of a dispute after gambling. Sensibility: with Faradaic current, the right hand feels at 32, the left hand at 35; touch gives 3 millimeters for left and 2 for the right. Meteorological sensibility is moderate; two or three days before bad weather he is restless. He is credulous; was made to see a bottle of black wine under a white paper. At 9 years of age was given to masturbation. The dynamometer gave 46 for the left hand, 53 for right. Motility: gait awkard; speech stammering; writing good; knee jerk exaggerated; had a simian agility since infancy. He walks often without consciousness of where he goes; this is one form of propulsive epilepsy; at certain moments there comes to him a desire to destroy everything, and often he does it. He does not believe in any religion. He sleeps uneasily; commenced to like wine at 10; was forgetful; smoked; liked gambling; is fond of striking; knows the criminal slang. His father was 44 at the birth of S. C.; his mother 50; his father drank much, but supported the wife, and was never in jail. The mother played much at lottery; his sister was mother of thirteen sons, all healthy, except one who died, disease unknown. He was studious in his four elementary classes; said he never had difficulty in learning. He reads the *Cronaca dei Tribunali.* He does not like the present system of government; would like the republican form. In infancy he suffered with *ematurie* and neuralgia.

Les criminels, charactères physiques et psychologiques, par Dr. A. CORRE. Paris, 1889. pp. 412.

The real criminal is he who does not recognize the rights of others; he is not a simple offender, but a hypocritical one; not like the man who opposes society openly. Every great man who establishes the supremacy of his country, and under the pretext of maintaining it, in the name of public safety, commits the most detestable acts solely for his own interests and caprice, such a one is a criminal. However, admit two groups, those who are imprisoned for their misdeeds and those who are free. Does this opposition correspond to the particular aptitudes in the groups which present it? Does criminality lie in the individual or environment? If in the environment, in what measure can it be modified? The answers to these questions are based upon anthropological and statistical documents.

In regard to the brain, the author does not find anything strictly peculiar to criminals. In respect to the cranium, the following points are noted: (1) the more frequent persistence of the metopic or frontal median suture; (2) the effacement, more or less complete, of the parietal or parieto-occipital sutures in a large number of criminals; (3) the notched sutures are the most simple; (4) the frequency of the Wormian bones in the regions of the median posterior fontanel, and in the lateral posterior fontanels; (5) the development of the superciliary ridges with the defacement, or even frequent depression, of the intermediary protuberance, the development of the mastoid apophyses; (6) the backward direction of the plane of occipital depression. General sensibility is lower in criminals; left-handedness is common; imperfection of sensitive activity; this lack of sensibility to pain and to disagreeable sentiments explains the want of pity and the cruelty of criminals. The true criminal has something of the incompleteness of the beast; he is a man who has remained animalized; he is an opponent of altruism, is lazy, likes wine, gambling, and debauch; in general he is afraid of the thought of death, indifferent to religion; without remorse; he is extremely vain. Intelligence does not develop his altruistic feelings; although very cunning, the criminal is inferior in intelligence. There are criminals of genius; some are honored by the world. They are egotistical monsters; if possessed with power, they commit crimes under other names; the slang of the criminal is rich in words for drunkenness, wine, and money; educated men among criminals are rare. In the majority the notion of the act is so persistent as in a certain measure to take away legal responsibility. In many impulsiveness is sudden and irresistible; onanism and sodomy are common. Recidivists are increasing in number. The physiognomic characteristics are in general: small cranial dimensions, receding forehead, absence of beard, abundance of hair, and dull eye (women criminals are almost always homely); thick lips, projecting eyes, and large jaws. These characteristics, while common, are by no means absolute. An individual always considered of sound mind, who does things the motive of which is inexplicable or out of proportion to his appetites, is to be regarded rather as insane than criminal. In delicate and disputed cases those with most experience and intelligence should decide, and not the jury. Among the cases of doubtful criminality are giddy, epileptic, hysterical women with hereditary taint, who, commencing with eccentricities, go into crime. The legislative idea of premeditation is to be replaced by that of the degree of intensity or duration of the solicitation. Criminals from sudden passion are more excusable than those who commit crime under the influence of drunkenness by alcohol, ether, morphine, or hashish; for the latter, although far less conscious of their deeds, know that these drugs expose them to such acts. The highest grade of criminals are so by profession, who are knowingly and deliberately rebellious against society. The last class are the false-honest men, who, by the cloak of wealth, power, position or honor, utilize society solely for their own disordered appetites.

Rejecting the criminal type in the sense of anthropological unification, the author believes that the cerebral inferiority of the criminal has its origin in a sort of arrest of development in childhood. Admitting a subordination to the acts of the organization, and the want of liberty, society should not punish the less, as it is her only way to maintain herself; but should keep within the strict limits of self-defense. The death penalty is a relic of barbarism; the ideal is not repression, pain for pain. A wise code should reprimand by bettering, not by destroying; it should diminish the intensity of the solicitations to crime; it should remember that society is in a great measure the cause of criminality. The author, while stating his own views without reserve, shows a broad spirit towards the views of others; on the whole he is not extreme, but takes a medium course.

Le Crime en Pays Créoles. Dr. A. Corre. Paris, 1889. pp. 314.

This book is a sketch in criminal ethnography. It is a natural history of crime; but of distinct races under metropolitan assimilation. The author gives a general insight into the evolution of delinquency and crime among the Creoles inhabiting Martinique, Guadeloupe and Réunion in the Indian Ocean. These contain in all 450,000 inhabitants, of whom one-tenth is white. There are the black Creole as distinguished from the black Africans; the white Creoles and the white Europeans, and a mongrel race coming from the union of these.

Criminality here is influenced rather by the social conditions than by racial factors. In the time of slavery the negro, a passive and almost negative being, committed less crime than the white man. At the time of emancipation the blacks gave themselves to abominable acts; the white population was so reduced as to have scarcely any influence on crime. The colored population increased in power as the field of its appetites enlarged. Criminality increased proportionally to the population, however. If social development is a cause of crime, it is also a corrector and reducer of dangerous impulses through the collective education on which it reposes. Emancipation certainly ameliorated the negro. But assimilation makes the number of crimes formidable, for in a rapid evolution the weak and impotent, remaining behind, furnish the largest number of criminals. The negro and white man have distinct physical organizations, and as a result distinct social aptitudes. The most advanced social organization is not comprehended by the negro; extreme liberty without the control of the white man brings him back almost to the ancestral savagery. The negro kills with little or no premeditation; is sure to obey the sexual appetite; is seldom guilty of infanticide or any atrocious suppression of descendants. The negro is very tolerant, has few needs which oblige him to struggle; is contented, if he can be lazy.

The Hindoos are isolated from the Creoles, but not in castes; their offenses show a certain degenerative refinement in motive or execution; they will not submit to tyranny of masters; debauch, adultery, and jealous rivalries involve them in their worst offenses; they learn skill and foresight, and are almost professionals in crime. Creolean and

Hindoo criminalities conserve their own ethnic and sociological characteristics. The author concludes this study in criminal ethnography by giving a detailed enumeration of measurements and observations to be made in the anthropological study (properly speaking) of colonial criminality.

Zwei Kriminalpsychologische Fälle. Ein Beitrag zur Kenntniss der Uebergangszustände zwischen Verbrechen und Irrsinn, von Dr. AUG. FOREL. Professor der Psychiatrie in Zürich. Bern, 1889.

In spite of opposition, determinism, based upon evolutionism is becoming more prominent in contemporary philosophy. Contradictions between legal ideas and legal punishment will vanish so soon as punishment is for the correction of the prisoner and the protection of society, and not an expiation of the deed.

Those persons known to have a lawless disposition should be taken care of before they can do injury to society, and, on the other hand, inmates of prisons should be psychologically studied, as to when and whether they should be given freedom, instead of holding them a certain length of time, according to the nature of the deed. The time is to come when the treatment of criminals will belong in part to psychiatry and in part to psychology. A normal psychical state is an adequate adaptation of the mind to the forces in the outer world. A normal free will is nothing else than an adequate reaction of the mind. A criminal act is an inadequate reaction. The writer cites two cases, giving the details at some length; one exhibits a high degree of weakmindedness, with an inborn ethical defect, weak judgment, liable to repeat similar acts. In this case the person was found guilty of kidnaping a child, and sentenced to ten months in the workhouse. The second case is that of a person shooting his friend without warning, and then shooting himself; a case of hereditary insanity, of deep ethical defect, contrary sexual feeling, hysterical fanaticism, etc. There are all kinds, of transitions marked by constitutional and chronic disturbances of the mental equilibrium, the disease can appear as almost natural to the organism, merely as an individual peculiarity, and inadequateness. Thus there are no sharp limits between the inadequate character of a criminal and that of a normal man, just as there are none between bodily anomalies and health in general. Moral training, safeguards, and principles are the best means for forming a habit of life that will endure.

Penological and Preventive Principles, with special reference to Europe and America. By WILLIAM TALLACK, Secretary of the Howard Association. London, 1889. pp. 414.

Notwithstanding the variety of opinion among those of long experience in the charge of criminals, there is a preponderance of experience in certain directions. It is the special design of this book to aid in recognizing these converging lines and approximate conclusions. The author is a strenuous upholder of the necessity for the effectual separation of imprisoned criminals, as opposed to the system of classification and association of criminals. The author appeals to the penal experiences of different nations: France, almost desparing in legislation, had the Récidivist Law for the extension of penal deportation; also the number of imprisonments increased threefold in half a century, from 41,000 in 1836 to 127,000 in 1888; and the "récidivists" increased from 31 to 48 per cent in the more serious offenses, and from 28 to 43 per cent in the minor ones. In the United States there has been a steady increase of crime to population, and a shocking development of corruption in the county jails. In Italy we find almost the worst predatory and homicidal classes in gangs of contaminating villainy among the prison population. In Germany the prisons are largely schools of crime. In Australia the system is condemned on all sides; it led to conspiracies, insubordination, vices, increase of expenses, contamination, and no possibility of reforming the criminal. In England, with its cellular local jails, and in Belgium and Holland, with similar central prisons where separation is secured or approximated to, we find the criminals most effectively held in check. In this system there should be added a rearrangement of sentences; that is, short, but sharp ones; more really penal, but more mercifully deterrent and reformatory. But another purpose of this book is, to show that the efficacy of prisons in the repression of crime is immensely exaggerated, in comparison with other methods of reformation.

As to legislation, a reasonable cumulation of penalties is desirable. The element of certainty is very important. Judiciously administered substitutes for imprisonment, including conditional liberty or probation, fines and moderate corporal punishments, are merciful and economical alternatives for prolonged incarceration. These views are held by the majority of penologists. As to preventive influences, too little attention is given to the restorative agencies of religion and morality (including, under the latter head, the wise encouragement of temperance, chastity, thrift), systems of education and training children to a self-supporting industry, the influence of piety, fostered mainly by denominational schools, where their faith is kept from being needlessly assailed—all these factors are too much neglected. It is generally admitted that the prevention of offenses and the development of society is forwarded by reverence for law and order, and a wise use of fear and hope, reward and penalty. Now it is preëminently in the gospel that we find these principles most authoritatively embodied and exemplified.

Prison Statistics of the United States for 1888. By ROLAND P. FALKNER, PH. D. Philadelphia, 1889; pp. 34.

This brochure presents many interesting facts. There is a homogeneous convict population in our prisons. The county jails and houses of correction have a continual change in their population, owing to short sentences. The percentage of colored prisoners is much greater than that of the colored population. As to age, the prisoners are as a rule in the prime of life; the higher age classes are less represented than in the general population. The foreign element furnish a larger number than the native born, but they stand relatively lower in the grave offenses than in the less serious ones. The British-American element makes a bad showing; in Michigan, 38.14 per cent. of the foreign prison population; and in Maine, New Hampshire, and Vermont combined, 60.85 per cent of it. The Germans have the same ratio in crime as the native born. Interstate emigration is common, so that those born in other States are represented more strongly than in the population generally. The unmarried show relatively a large percentage, especially in the Western States. Manufacturing, mechanical, and mining occupations show a large percentage of crime. Those having no religion are large in number. The percentage of Catholics is quite high, caused mostly by nationality and economic condition. The Hebrews show a very small percentage relatively. Crimes against person have the largest percentage in Maine, Michigan, Nevada, and Alabama. Why it should be so high in Connecticut, New Jersey, and Southern Indiana is not clear. In the South there is a large percentage of crime against the person.

Sur le fonctionnement du service des signalements anthropométriques, par A. BERTILLION Archives de l'anthropologie criminelle. 1888. pp. 19.

This is a report addressed to the director of penitentiary administration in France. The repertory of anthropometrical descriptions commenced in January, 1883, had reached the number of 60,000 in November, 1887; and has brought about the detection of about 1,500 recidivists inscribed in the jail-books under false names. The author describes the manner of obtaining uniformity in results, the classification of measurements, and the distinctive characters of recidivists under a false name, giving some curious examples of detection. It seems to us that this is a direct step toward the detection and subsequent control of a most difficult class of criminals.

Physical Training of Youthful Criminals, by HAMILTON D. WEY, M. D. Reprint of a paper read before the National Prison Association at Boston, July 18, 1888. pp. 14.

Physical training and athleticism are to be sharply distinguished. Physical education should precede mental; it aids the slow and irregular movements of the criminal, gradually giving him better control of himself; the mind is quickened along with such training. Bathing and dietetics are adjuncts to physical training. Physical education should be carried on in a three-fold line—physical development, muscular amplification, and structural enlargement. Let the physical man be trained to reach the highest attainable degree; the brain coincidently will participate, and the mind will afford a basis for the principles of morality. The brochure is valuable in giving many practical details from the more advanced point of view of criminologists.

Should Inebriates be Punished by Death for Crime? By T. D. CROTHERS, M. D., Superintendent of Walnut Lodge, of Hartford, Conn.

Although this is only a leaflet of eight pages, it contains many facts and practical ideas. Criminals are found who are not deceitful, but desperately wicked. The inebriate is defective and diseased—the death penalty for inebriates is opposed to all teachings of science and experience. Ten per cent of the estimated half million inebriates in the United States are yearly convicted of crime; 2 per cent commit capital crime, and 1 per cent of this number, or about one hundred persons, are executed every year. Inebriacy is not a voluntary condition within the control of the person. In one thousand cases confined on Blackwell's Island, nine hundred and thirty-five had been returned for the same offense from one to twenty-eight times. The inebriate murderers are subject to delusions, morbid impulses, epileptic explosions, sometimes alcoholic somnambulism; the death penalty has no horrors for them; the first sentence causes others. Inebriate murderers should have a private trial, should be confined for the rest of their life in a military workhouse hospital.

Du Dépeçage Criminel. A. LACASSAGNE. Archives de l'Anthropologie Criminelle. Tome troisième, 1888.

The author is one of the most distinguished medical legalists in France. "Dépeçage" (*διὰ-τέμνω*, I cut through) is the act of cutting a body into more or less equal portions. Criminal "dépeçage" is the act of cutting the human body into an indefinite number of fragments for the purpose of disposing of the victim and of rendering his identification more difficult. Sometimes the head, the arms, the limbs, and trunk are separated; or they may be reduced to pieces. This method of the assassins has become the style; it is by imitation, made contagious in feeble and hesitating individuals through detailed descriptions by the press. They seek the methods that will make the greatest difficulties for justice. In inquests, care must be taken not to suggest to the guilty machiavelian plans; since their minds are very simple, and too impulsive to carry out combinations. The magistrate or physician should try to think as they do, and always be making the most simple hypothesis.

The advancement made in determining identity has caused the criminals to take more precautions. Thus an assassin says that if he killed anyone, he would strike him on the head, then he would skin him as a calf, cut off his ears and nose, and take out his eyes so that he could not be recognized, and cut his body into pieces and scatter it here and there. This form of bestiality is the most genuine mark of the destructive instinct. This is not in obedience to the laws of atavism. But it is because these criminals are as they are that we call them an arrested type; since the most ancient times their instincts have remained the same; and since they have few ideas, they are necessarily destined to imitation.

Historical anthropology distinguishes religious "dépeçage" or sacrifice from judicial "dépeçage" or torture. To appease divine anger, children were offered; after victory, the prisoners were sacrificed and eaten. There is a sort of pathological cannibalism as in famines and popular tumults, manifested through a perversion of taste and excitation of destructive instinct. In judicial cannibalism, after sentence, two or three days are given the people to assemble; the party offended has his first choice, and cuts it from the living victim; then follow the others according to their social ranks, and cut according to their preference. In the middle ages crimes against royal persons were punished by quartering the guilty; sometimes the wrists or feet were cut off before execution. In all times criminals or despots have had the cruel fancy of mutilating their victims.

The author presents an instructive table giving the observations of forty cases. The practice most common is where the assassin after the homicide, greatly excited and beyond self-control, begins at once to section the head, to make sure of death, and to do away with the part most liable to cause recognition; then follow the inferior and superior members. Sometimes fatigued by the struggle and the emotion, the assassin waits till the next day, sleeping soundly during the night.

Dépeçage can be practiced in case of accidental death, by dismemberment for conveniently carrying the body. Some aids in examination are: the teeth, surface of body, length and color of hair, scars, tattooing; wounds by both firearms and knife, indicating more than one operation; or some parts well sectioned and others badly; direction of the cuts, showing left or right-handed person; way of tying knots, packing or sewing, indicating a sailor or a woman; way of disarticulation, indicating a cook; bloody hands, direction of the drops of blood, instruments stained, or clothes torn or stained; general disorder in location; rate of putrifaction, especially rapid in those succumbing from great fatigue; if cut soon after death, there is hemorrhage, so putrifaction is slow; but it is rapid if "dépeçage" is long delayed; the flow, coagulation, and infiltration of blood, and separation of the wound leave no doubt. If there are traces of inflammation, or change of color of the ecchymoses, these indicate that the wounds were made during life.

Although the publication of such details provokes imitation, or forces the murderer to improve his methods, yet observations are reunited, compared and commented upon; this is a compensation, and can be utilized by the state.

El Cráneo y la Locura. Dr. W. RODRINGUEZ. Buenos Aires, 1888.

The purpose of the book is to study the relations between the form of the cranium and mental diseases. The results are from the study of 532 cases. These might be questioned, since an apparatus called the conformitor (used by hatters) was employed in obtaining the anterior-posterior and bilateral diameters with the aid of Broca's compass. The form of the cranium is an important element in the diagnosis of insanity. The majority of cases show a striking asymmetry; there is a marked predominance in the lateral posterior regions. In the maniacs the anterior-posterior diameter is greater than the average. In cases of dementia there is a twisting movement of the head, with an exaggerated development of the parietal eminences. There is always a predominance of the frontal lobes in the general paralytics. In idiots and cretins the lines which form the contour of the head are very irregular; there is also an exaggerated development of the occipital protuberance. The author is consulting physician and director of the Argentine Medical Society for nervous diseases. It is interesting to hear what an authority from South America says.

La Contagion du Meurtre, étude anthropologique criminelle. Le Dr. PAUL AUBRY. Paris, 1888. pp. 184.

The phenomenon of morbid psychology, which the author considers, is a combination of suggestion, imitation, heredity, and contagion. Contagion may arise from family influence, as in the case of the child reared in crime, who sees his parents profit from it, or it may come from contact with prisoners. If the child goes to the house of correction, the case is no better, as contagion has a hold on him. A good man rarely comes from a criminal family, but a bad man frequently comes from a good family. Reformation from prison life is a myth. Lacenaire, a most celebrated criminal himself, says when a young man enters prison and hears of the grand exploits of the others he regrets that he has not been a greater criminal himself. Contagion comes from public executions; those who quit the prison assemble at public executions to see the blood, which for them has special attraction. Out of 177 persons condemned to death only three had not been present at other executions. The indirect contagion of the press is an established fact. In 1885, in Geneva, Switzerland, a woman killed her four children, then tried to commit suicide; in her autobiography were these words, "As a woman did it, which was in the newspaper." Tropman, a celebrated criminal, confessed that the cause of his demoralization was the reading of novels, by which he developed a strong passion for heroes of the prison. If such reading influences a sound mind, its effect on the weak-minded and insane is still worse. The reading of the details of crime first produces repulsion, then indifference; soon crime is looked upon with complacency, and after this overt acts may follow with less difficulty.

There is the contagion to vitriolize or to use the revolver. A woman wishes simply to disfigure some enemy; she has read in the paper how another woman accomplished this and was acquitted with the congratulations of the jury and with public applause, how everyone talked about her, how her picture was in the paper; she finds vitriolizing convenient, and imitates her model. Those who use the pistol are not so contemptible as the vitriolizers, though the results may be more fatal. Poisoning was once the royal and aristocratic mode of disposing of persons, but owing to the advancement of chemical science it is now comparatively infrequent, and if resorted to it is generally by the ignorant. In infanticide the mother was accustomed to place her hand over the mouth and nose of the infant, but the newspapers showed the danger of this method; so at present the child is strangled under a pillow or blanket, which leaves no traces. Mutilation and incineration often follow each other. It is natural to assassins to cut a body into pieces, as it is easier to dispose of it.

Epidemic and endemic murder are frequent in great social disorders, as in the French Revolution and the Paris Commune; the sight of blood in a crowd is contagious, excitement follows, then concentration on one idea, which demands victims. War is a neurosis in which people rise in a mass; it is a contagion that affects all minds, and acute in nature; it is a homicidal insanity. Violation followed by murder is a local epidemic. A band of young men, after more or less drinking, meet on an isolated route a woman, it matters not whether old or young; they maltreat and violate her; their wantonness being appeased, it changes into homicidal furor; they urge one another on; they not only kill their victim brutally, but make her suffer.

The author, after giving numerous illustrations, makes the following general conclusions: The idea of murder is essentially contagious; in order to be manifested two factors are necessary: (1) Heredity or degeneracy; (2) education, by which is understood the action of examples, the description of crime, etc. The prophylaxy of murder rests: (1) In the moralization of customs; (2) in the regulation of the accounts of crimes given by the press; (3) in a more logical severity in the courts; (4) in a more moral and individual hygiene.

The Restoration of the Criminal, a sermon by FREDERICK H. WINES. Springfield, Ill., 1888. pp. 22.

This sermon has more than usual value, not only for the ideas it contains, but for the facts and the confidence that may be put in them, inasmuch as the writer is the one who gathered the criminal statistics for our census of 1880. The majority of people take an optimistic or pessimistic view of crime according to their temperament, and either think that nothing can be done to stay the rising tide of crime; or else everything is done that can or ought to be. In either case they suppose that it is a matter for the government to deal with, and that private citizens have no call to waste any of their time in considering it. Many do not know how many prisons there are in our country, nor the cost of them to the community. At the time of our last census, in 1880, in all our prisons there were nearly 60,000 prisoners, and in addition 11,000 inmates of juvenile reformatories, who are virtually prisoners. Nearly 10,000 were sentenced for life, or for terms exceeding five years; they are a small fraction, and aptly compared to prisoners of war. The cost of maintaining our prisons, which is estimated at $15,000,000 a year, is but a small portion of the cost of defending property and life. To this must be added another $15,000,000 annually for keeping up our police departments. Then we have to maintain the ponderous and expensive system of courts. What proportion of this expense is criminal is difficult to say; but what those courts, with all their officers and employés, cost us is beyond computation. Nor can the cost of the successful depredations of criminals be reckoned. We know that many individuals live by crime. Crime has its capitalists, its officers, and even legal advisers. The worst of all is, that crime is increasing in this country out of proportion to the growth of population. An examination of the reports from State prisons shows that at the present time there are over one-third more convictions for high crimes in proportion to the population than there were twenty years ago.

What is the real end sought in establishing a prison? Some say: to punish crime; some, to protect society; some, to deter others from committing crime; some, to reform the criminal. There is an element of truth in each of those answers. There is a weak sentiment in society, that punishment has no place in the criminal code. We must not oppose administering justice in the spirit of retaliation in such a way as to impress others that we do not recognize the essential evil-desert of wrongdoing. At the same time, it must be admitted that the impossibility of measuring guilt in specific criminal acts, and the failure of all attempts to overcome evil with evil, have gradually changed the current of human thought, so that retaliation is not any longer the basis of an enlightened criminal code. As to protection, society has the same right as any individual in it. Fear has its legitimate use as a motive to human action. He who can not be made to fear the consequences of evildoing, is wrongly constituted, possibly insane, certainly void of conscience. Yet the deterrent influence of punishment upon those who experience it is greatly exaggerated. There is in human nature a propensity to self-destruction, or reckless disregard of consequences that impels men to run terrible risks to gratify passions, particularly those which are unlawful and injurious. No degree of severity will ever put an end to crime. The prison protects as long as the criminal is there; in a sense, it is a substitute for death and for banishment; but here the only sure protection is imprisonment for life; but no government will ever authorize its indiscriminate application to all grades of offenders, no matter how incorrigible they may be. There are many, even among the officers of prisons, who oppose imprisonment for life of any man, however heinous his crime, on the ground that it deprives him of hope and reduces him to a condition resembling a living death. Further, we have no right to commit anyone to a prison in which the discipline is not essentially reformatory. The worst man in liberty may fall under good influences and be changed; but to put him where influences are wholly bad, can not be justified, especially where the sentence is for life. In any reformatory system the coöperation of the prisoner must be had. The strongest sentiment in his breast is the hope of release, and the indeterminate sentence makes the best use of this sentiment. The prisoner should be told that the date of his liberation depends upon himself, and the experienced prison officer is the one to decide this. The difficulties here are no greater than in the care of the insane. The utterly incorrigible should be put where they can do no harm as violators of law, or as teachers or examples to the young. Methods for the repression and prevention of crime should be Christian and scientific.

La Philosophie Pénale, par. G. TARDE. Lyon et Paris, 1890. pp. 566.

This work is an examination of the ideas of the modern school of criminal anthropology. It is also an exposition of personal views. The author first attempts to reconcile moral responsibility with determinism. He then gives an explanation of society from the side of the criminal. He follows a general point of view, which he has applied to the different aspects of society in his recent book on the laws of imitation. He finally indicates some legislative or penitentiary reforms as a practical conclusion from his theoretical premises.

The responsibility of one person towards another supposes the union of two conditions: (1) a certain degree of social similitude between the two persons; (2) that the first person, on account of the accusation, should rest or appear to rest identical with himself. Now, penal responsibility, no less than civil, has the nature of a debt, that is, to produce a satisfaction judged useful to the person or group of persons who have the right to invoke it. Penal utilitarianism in this sense is as old as the world. This is no system of a metaphysician; responsibility has always been held thus by the popular instinct. Founded on the idea of freedom, this notion of responsibility does not accord with the history of penal law, and if it seems to agree with actual legislation, it tends to create an abyss between such legislation and the reforms which deterministic science requires. But founded upon identity and similitude, it explains the past, and permits a connection of the present with the future, and old prejudices with new principles.

The normal alterations of the personality are not of an even tenor either in different ages of life or in different individuals. These differences should be considered in fixing the delays to criminal prescription. I am more or less as I was yesterday, the day before, or ten years ago. In certain bursts of passion I leave myself a great deal; personal identity goes and comes subject to periodic fluctuations. But in the midst of this undulation, which no formula can fix, one perceives easily this general fact, that after being rapidly transformed in infancy and youth, the person stops, ossifies, and from this time modifies itself but little. It is not true then that we vary the same with age at every period of life. The presumption, which in part makes the delay in criminal procedure the same for young men as for mature men, is contradicted by facts.

Our theory of responsibility applies as well to civil as to criminal matters. Now, civil responsibility has rested outside of the polemics sustained over the question of free will. This signifies that everybody understands that it rests on some other foundation than that of this mysterious faculty.

It is true according to the moralists and the jurists that a contract does not bind him who has subscribed to it, if he has not freely consented. But the liberty here, as in all matters of obligations, is not free will, that inherent quality of having been able not to have determined as one has done; but it is absence of exterior constraint, the quality inherent in the act, of being conformed to the will of its author. The signer of a check will talk in vain if, on signing it, he gives away to an irresistible passion for a woman, or for gambling; he is gallant, he is a gambler; it is his character. But would it not be otherwise, if on signing, he had given away to a motive of a nature wholly exceptional in his life; if, for example, having had up to this time a horror for gambling, he had contracted this debt to gamble. Why this difference? Because the question is, if he was himself in signing it.

The psychological conditions of personal identity are also those of social similitude. The individuality of the person is explained by that of the state. The state is to the nation what the eye is to the brain. Identity is made and unmade; it has its degrees. Royal justice does not take its model from the domestic tribunals of the previous era, but rather from war like proceedings; evil doers are everywhere treated as enemies. Penalty is expiatory; there is an original transition of collective responsibility to individual. The theory of irresponsibility is treated under the heads of insanity, drunkenness, hypnotism, senility, moral conversion, and sovereignty. The criminal is not insane, nor is he a savage reappearing among us, but he is in part the work of his own crime, and of criminal justice.

The repetition and even the regular variation of statistics implies the nonexistence or the nonuse of free will. Socially, statistics show that man imitates much more than he innovates. Men imitate the more they are alike. The superior is more imitated than the inferior; the propagation is always downward in all orders of facts: languages, dogmas, ideas, needs. In the past, the great source of imitation was aristocracy; now it is money. This principle applies to crime. Vices were propagated from nobles to people, such as drunkenness, poisoning, murder by command. At present they go from the city to the country. The action of penalties on criminality is similar to that of prices upon consumption. The consumption of an article does not diminish proportionally to the elevation of its price. Sometimes it falls much more quickly than the price rises; this is in the case of articles of luxury; sometimes it falls more slowly; this is in the case of articles of necessity, which respond to strong and natural desires. So we can distinguish crimes of luxury, as thefts, abuse of confidence, forgery, incendiaries, etc., and even murders inspired by desire (in great part artificial) or by libertinage and ease; and not by hunger, vengeance, or love. These artificial crimes are very amenable to the power of repression, and are lessened very rapidly when repression is severe. But crimes by necessity, of whatever sort, provoked by misery or by all-powerful passion, will resist much longer the increase of penalties. There always comes a time when the price of certain articles become extravagant; the number of their rare consumers has not sensibly diminished; these consumers are the monomaniacs, whom no expense will deter. Such are the insane or semi-insane criminals, which no punishment will hinder. But these are the exception. The more civilization advances the greater the proportion of crimes of luxury. The importance of penalties like that of prices is becoming greater.

Philosophie du Droit Pénal, par. AD. FRANCK. Paris, 1888. pp. 174.

The purpose of the author is to find the principles on which criminal justice rests, and the rules which it is to follow, and to reunite these elements into what might be called the philosophy of penal law. These philosophical principles are nothing else than the natural principles of humanity and of justice applied to the repression of crime and the defense of society. The savage passion of vengeance has left its traces in all primitive legislations, and the present generation is not free from it. Once all laws were considered as revelations of the Divinity, and so every disobedience was punished according to religious discipline, and some of the most trifling acts with the greatest severity. Sorcerers and the insane were burned alive. Along with the religious penalty grew up the political, in which all criminal acts were considered as against the authority of the king or lord, or the dominant caste; so that to ride in a coach, which was only for the nobility, or to wear silk clothes, or kill a rabbit, was punished more severely than theft, swindling, and abuse of confidence are at present.

For the political penalty the social penalty has now been substituted, and this change alone has caused the horrors of the past to disappear and justice to come to the front rather than vengeance. But all has not been done yet; the scaffold still remains. It is the essence of crime to dishonor that which it accomplishes; crime causes shame, not the scaffold.

The limits of the philosophy of penal law are contained in the three questions: (1) What is the foundation on which the right of punishment rests; (2) what are the actions that should come under the law, and (3) what should be the nature of the penalties? After discussing the systems of others, the author lays down the following: The real foundation of the right to punish is the incontestable, inalienable, and absolute right of self-preservation. Society can exercise this in only two ways, by constraint and repression; the former by those means without which the State could not exist, as military service; the latter, in preventing acts which threaten the State's security, as the breaking of particular municipal laws. Intimidation is a high form of repression, which in its turn may be necessary to self-preservation. On the principle of expiation there is no relation between chastisement and fault, because we do not know what kind of suffering is the natural expiation of a determined fault. A law founded on such a principle is necessarily arbitrary, and is involved in the ways of cruelty and torture by the necessity of varying the punishment according to the degree of perversity that the same crime has been committed. Punishment should not concern the reparation of the damage or the needs of defense; it will be sufficient, if the fear inspired by the crime is annulled by the certainty of repression, and if social safety is not involved. Thus penal law can keep pace with civilization and become humane in proportion as society itself becomes humane. Rigor should never be considered as eternal and immutable. If education increases, if customs become more polished, and honor more common, the prison itself can give place to the moral suffering of shame or to a loss of a part of our civil and political laws, and the deprivation of good and fortune will be more severely felt than ever. Such a penal law is the only one in accord with the liberty of the individual, the conscience, and the inviolability of the home. This could not be on the theory of expiation, for in this case any infraction of a moral law could not go unpunished; the more liberty the more responsibility; this is the inquisition and slavery; the question could be reëstablished, for it is a duty to search out the evil wherever it is in order to punish it, and if you risk making the innocent suffer, you have the satisfaction of obeying an absolute principle, an inflexible rule; the right of grace is not explained by divine right, the rulers being considered an image of God on the earth, are participants of His omnipotence; they provide grace not to repair the errors of justice, but to do an act of authority. But on the principle of conservation and of reparation, society in punishing the rebellious who outrage its laws, having no other purpose than to defend itself, can extinguish in the heart of its conquered enemy the passions, which are the source of this enmity; the reformation of the rebellious, however, is not so much accomplished by the softening of his punishment as by the amelioration of his sentiments and morals through education, and the introduction of rigid habits into his life.

As to what acts should be penally punished, the common answer is: those that are an infraction of penal law. This is a vicious creed and has little to do with the nature of the acts themselves. Those who confound crime with sin substitute the power of man for that of God. Since society has no law valid against its inward or outward enemies, except that of its own preservation, an act that falls under the penal law may not be culpable in itself, or immoral; to be penal it must endanger the security of society as a whole.

After considering what acts are criminal or penal, and the different degrees, the author comes to the question of punishment itself—that is, the power of society over those whom it considers its enemies. Here appeal must be made to the immutable principles of the human conscience, and to the ideas that underlie the moral order and justice. (1) Punishment should not go beyond the purpose of penal justice or exceed the rights of society. (2) It should be personal and not jointly binding between the guilty and innocent. (3) It should be proportionate not only to the gravity of the crime, but also to the nature of the crime—that is, there should be as much analogy as possible between one and the other. This analogy should be internal, moral, and not merely material. For instance, the violator of the sanctity of his family should be deprived of the care of his children, who should be given to the care of the outraged wife. The crimes of the press should not be punished in the same manner as the lower crimes of theft or murder—that is, a less number of months of imprisonment. The usual analogy consists in depriving the guilty of the rights they have violated.

The author concludes with the question of the death penalty: All natural and social faculties which the individual uses against society, society can limit, suppress, or suspend if it is necessary; but can this reach to the taking of life itself? Is the death penalty a legitimate means of repression and reparation? Rousseau says that man is not the master of his own life; he has no right to dispose of it—not free to renounce it when he pleases. Life is absolutely inviolable; neither the individual nor society has the right to take it away by a stroke.

To say that the death penalty is in the codes of all nations is on a parallel with saying that slavery, the right of primogeniture, the privileges of race, etc., exist among all nations. It is true if society could defend itself only by the death penalty, it would have a perfectly legitimate right to do so. It is not necessary that the whole of society be in danger; it would suffice if the life of particular ones were menaced by an excess of indulgence, for in the social order personal right of defense is in the hands of society, and the right of defense or repression is exercised by intimidation. The life of man is not more or otherwise inviolable than liberty. The liberty that becomes aggressive can be suspended; the life of a guilty man, when it has become a danger to the life of the innocent, can be sacrificed. But is this sacrifice necessary, is it useful, can it be accomplished without danger to the innocent sometimes, without danger of committing the crime which it wishes to repress?

It is necessary to remark first, that it is less violence than certainty of repression that influences the criminals. In times of anarchy, when the means of escaping the rigor of justice were numerous and easy, the penalty had a reason for its existence, but to-day it has little effect upon the hardened criminal. "It is a bad quarter of an hour to pass," said Cartouche in speaking of his approaching execution. There are criminals condemned to hard labor who have purposely dipped their hands in blood, who have assassinated their keepers or companions in order to mount the scaffold. The scaffold does not hinder those who kill by vengeance, jealousy, or hatred, because all these passions defy death, and make the position of the one to be executed an object of admiration rather than horror. The scaffold is not necessary to arrest criminals of another order, for imprisonment for life or cellular imprisonment suffices to effect their imagination. A savant criminologist has made this observation, that among all those condemned to death whom he had visited, all had been present at several executions. Monsieur Lucas has shown that in 1826 eight innocent persons were condemned to death. The irreparable death penalty can not be applied without danger to the innocent. The death penalty instead of being an example is a corruption; it offers the public the details of executions, which harden the feelings. It leads to murder by the law of imitation.

Handbuch des Gefängnisswesens, herausgegeben durch Dr. F. VON HOLTZENDORFF und Dr. E. VON JAGEMANN. Hamburg, 1888. 2 vols. pp. 511; pp. 543.

These two volumes give a systematic, legal, historical, and scientific presentation of prison systems, crime, and penalty in most countries in the world, taking up in detail all directly allied subjects, which are treated by different specialists. No better idea can be given of the thoroughness and comprehensiveness of the work than by simply enumerating the headings of some of the main chapters: Essence, relation, and general literature of prison science; criminal psychology in its relation to prison systems; anthropology and pathology of criminals; criminal statistics and their sources; history and conditions of prison reform in all countries; the legal principles of penality; prison architecture, its history and principles; prison organization and administration; prison discipline and individualization; superintendence and education; prison hygiene and care of the sick; prison labor; special institutions; police, custodial, and work houses; criminal-insane and invalid prisons; historical development and present condition of preventive institutions; prison finance; morbidity; mortality; morality; oscillation of criminality and recidivation.

Les Habitués des Prisons de Paris, par Dr. ÉMILE LAURENT. Préface de Dr. A. Lacassagne, Lyon. Paris, 1890. pp. 616.

Man has need of sensations; he loves to be moved. This love of criminal cases replaces the infatuation of the Middle Ages for contests. Man is more realistic, and, like a child, loves the history of the brigands, the stories which excite at once the sense and the heart. It is not the result of an unhealthy curiosity; there is a feeling of the solidarity and animality of the act; its monstrosity strikes us so much the more at present; the thousand voices of the press give the instinctive fear of a threatening danger to each one of us. The petty thief is of little interest. But the great criminal, by the atrocity of his acts, the number of his victims, and his complicated maneuvers, appears to arise from the vulgar. It seems there are forces lost there, and each one seeks for that which has been able to misguide those forces. The social conscience asks itself, On what side is the responsibility?

What is the criminal? The Italian school says he is a prehistoric man in our present civilization. Lombroso advances the doctrine that the born criminal can be nothing more than an epileptic; criminality is a neurosis. But the individual factor in the criminal is less important than the social; if the former predominates, and the pathological side reaches such a point that it becomes manifest, we have an insane man and not a criminal. It is the volition accompanying the act, and not the act itself, which makes the crime. Man is predisposed to insanity or becomes insane, but it is society which makes and prepares the criminals. Criminals have a larger number of physical and moral anomalies or defects than good men. Yet the same anomalies are found among the latter, which shows that these signs are not sufficient to characterize criminality. These anomalies also can come from a defective social condition. A criminal, abnormal from the point of view of disease, is irresponsible: he who shows physical and moral symptoms of a disease of the nervous centers is without responsibility. The moral sense has no cerebral localization; it is an effect of adaptation and of life in the social medium. The social strata are not to be distinguished by position, riches, or instruction, but by manifestations of cerebral existence, frontal, parietal, and occipital. The last are the most numerous; they are composed of instincts; the frontals are the most intelligent; in the parietal stratum are especially individuals of activity, character, impulse. Three categories of criminals correspond to this division: (1) criminals of thought, or insane criminals; (2) criminals by impulsion; (3) criminals of instinct, or the real criminal.

Man acts, but society so leads him that the excuse has come to be that the criminal is unfortunate. The criminals are especially the passionate; that is, they belong principally to the occipital group. The signs of physical and moral degeneracy are not a resurrection of atavism, but a deviation from the normal type of man. At present justice withers, the prison corrupts, and society has the criminals it deserves. Such is the influence of society that we can distinguish the rural from the city criminal.

The present work describes mainly that type which is the last stage of Parisian degeneracy. The majority of Parisian criminals are the lazy, without regular habit of work. Every individual from 18 to 25 who does not work should be considered dangerous and should be sent into a colonial army. Parisian criminality is more mild and civilized, but more crafty. What it has lost in ferocity it has gained in baseness and cowardice.

The following are some of the practical conclusions from the study and the prison experience of the author: As regards heredity, alcoholism takes first place as an influence; then come insanity and neurosis, and then tuberculosis. The criminal by occasion falls again much less frequently than the criminal by accident. A term in prison suffices ordinarily to render him more honest or wiser. The beggars and vagabonds in prison are not all criminals; they are the feeble, those disarmed for life; they should not live in the same part of the prison with habitual criminals, for many of them leave prison having become criminals. A schema of crime would be a triangle, two sides of which are bad habit and want of moral sense, converging into degeneracy; the two other extremities are united by the base line, alcohol. Prisons are inhabited in great part by sons whose parents were alcoholic and degenerate.

The distinction of epileptics among the insane who are not themselves insane is a sophism without any practical application. To assimilate (Lombroso) the epileptic to the morally insane is going too far. The morally insane are invariably perverse and wicked; they do not respond to a good sentiment; but epileptics at times are capable of most generous acts. Epileptics should be separated from other prisoners and treated medically. The hysterical prisoners should be treated like the epileptics, neither of whom should be kept in cells, for such confinement tends to bring on attacks. As to alcohol, a sober criminal is a rarity; while every alcoholic is not a criminal (often due to the care of friends), he can become one; for alcohol paralyzes the cerebral functions, annihilates the will, then the field is freely open to anger, impulsiveness and bad instincts. Many criminals prefer to live on a piece of bread, sleep under the bridges, and pass part of their life in prion rather than work a few hours daily. Lacenaire said to the judge: "I have always been lazy; to work is an effort. I am incapable of it. If it is necessary to work, I do not care to live. I prefer to be condemned to death." Prisoners should be classified according to the nature of their crimes. The director, the physician, and chaplain should do this. While religious beliefs do not exist among Parisian criminals, yet the priest renders great service in the prison; he knows the heart and by his sympathetic words he can comfort the most miserable. The physician should be the friend and student of the criminal as he is of the insane; should know how to distinguish the alcoholic, epileptic, insane, the vagabond, and morally insane. The prison may remain a prison and yet be transformed through the results of criminal anthropology. Prisons are inextinguishable mines for material for investigations in this science.

La France Criminelle, par HENRI JOLY. Paris, 1889. pp. 431.

The astronomer does not have the whole universe at his disposition; often a minute study of a little part of it will give the laws applicable to the whole. Thus it may be with the study of French criminality. The journals and the reviews describe the fluctuations of crime, authors compare these, but the question arises, "What does it all amount to?" This, our author says, is the question he has sought to answer.

What are the forces that act in crime? What is the nature of these forces? The answer does not appear doubtful; if foreigners take the places of French laborers; if these foreigners succumb more easily than they would have done under the eyes of their guardians and the guides of their youth; if the half of France is to fill up the vacuum in the other half caused by the decrease of births; if this displacement breaks the traditions, placing a large number of the natives in a state of isolation analogal to that of the foreign laborers; if, in addition, capital seeks to expel these groups, which bewilders, harms, and disorganizes them; if the guilty one is punished and receives an irreparable stain, so that on leaving prison he is practically out of society; if the increase of cities makes adolescence more precocious, and the decadence of apprenticeships triples the criminality of the young; if newly gained riches overexcited the appetites; if the diminution of births—our great national peril—is due only to voluntary calculation, of covetousness, or of vanity; if this profound alteration of family life tends to multiply divorces; if the appetite for higher salaries loses sight of the necessity of permanence in engagements, and the resulting instability increases the number of those out of society; if riches hastily acquired cause more theft than misery does; if inadequate instruction, which lays aside the heart, is as dangerous as ignorance; if, under all these causes, woman finds it more and more difficult to have a family; if politics leaves no possibility of applying more reformatory laws, then in all these facts is illustrated the nature of the forces which cause crime. Where in all this is the atavism that the Italian school imagines, or a criminal organism produced by accident or birth, or a regression towards the savage type? It is certain, however, that crime never leaves to the family or individual their primitive integrity. Alcoholism causes the race to degenerate; the prison debases those confined in it. Some would make crime a proof of the intensity of civilization, because it is a fatal consequence of it; crime is a sign of force; it is one of the results of the struggle for existence; the criminals are like to the wounded, whose injuries testify to the ardor of the battle; no grand results without effort, no effort without rivalry, no rivalry without anger, no anger without violence; that, in short, the increase of crime follows the progress of civilization; is an accompaniment or consequence of victory. But the criminal, instead of being a strong, energetic, and persevering individual, is conspicuous for his incoherence, feebleness, and cowardice; he does not attack the law openly; he turns it as he can, because he finds it more powerful than himself. But some transform the theory and make crime a residuum of society's labor. But may it not represent the loss of a certain quantity of force? The more a manufactory is developed the larger the product of deleterious gases. While this may be true it does not follow that an increase of crime is a sign of prosperity. An industry in which there is much loss works badly, for its course is towards bankruptcy or dissolution.

. To ask what society shall do shows the immense extent of criminological science or of the importance of its relations to social science. Society can not save individuals in spite of themselves, because they are free. Those who deny liberty, admit spontaniety in each individual, whose particular mode of action conforms to his nature and to special accidents which characterize his origin. It is the same society which sows temptations for the criminal, and gives to the litterateur, artist, and genius material for their work and occasion for their success. In an army twenty captains distinguish themselves; one of these twenty, however, always has the name of saving his country. Where is the real merit? Everywhere! In those who planned the army, in the soldiers who accepted the discipline, in the twenty captains, and in the one who by reflection and energy was at their head. The same is true in corrupt surroundings, in industrial trouble, disorganization, excitation; one assassinates, one is incestuous, another is an infanticide. Where is the responsibility, where is the guilt? Everywhere! In those who had not looked after the organization of labor, in those who have furnished bad examples, in leaders, and in those who have followed. The greatest evil is the unclassing of people. Every human being has need of the reserve and sustenance of the medium which surrounds him. The family, the commune, the school, the corporation, the country, should encircle us all. Whatever breaks one of these circles and lets an individual escape makes of him an unclassified person, and almost inevitably a criminal. By the prison society permits a declassification of those whom it punishes. After the punishment, does society reclassify the individual into its ranks? Is it not society, on the contrary, which by its method of punishment achieves a type of corruption that individual feebleness or disorder had already formed in the criminal? What is the extent of the evil and what should be its remedy? The answer to these questions will be the object of a third and last volume of the author.

L'anthropologie Criminelle et ses Récents Progrès, par CESARE LOMBROSO. Paris, 1890. pp. 180.

The following work, although of a somewhat personal nature, brings out the cardinal points of difference between the Italian and French schools of criminology.

The rapid and almost precipitous march of criminal anthropology prevents new publications from being very voluminous. As it is not always convenient to draw from the special reviews on this subject, Lombroso gives a résumé of recent progress. He says: I wish to reply to numerous critics who admit the importance of this new branch of science. Topinard denys me the right to affirm a criminal type, because, as I admit, this type in wanting in sixty out of every hundred observations. Gratiolet defines a type as a synthetic expression, Gœthe as an abstract and general image, which we deduce from the common parts and differences. Saint Helaire says we never see a type; it is only in the mind. Broca says human types had no real existence. Such are the abstract ideal conceptions which come from a comparison of ethnic varieties. I acquiesce in these views. There is one question: What is the minimum of useful characteristics to which a type can be reduced? The question is not answered. It depends upon the rigor which one requires in a particular case. In practice two or three good reunited physical characteristics are sufficient. While Topinard admits this, he is not willing to admit atavism in criminals, because he does believe in a continuity between man and the animals. Without citing Darwin, Lamark, Wallace, and Buffon, and even admitting the zoölogical chain to be at fault, the continuity would exist in human embryology. It is also curious to find those admitting atavism in criminals, yet not its pathological influence. Manouvrier, on the other hand, admitting pathological influence (that which explains facial asymmetry, concatenation of the teeth of criminals), on this account denies atavism. But how is it with mental diseases (microcephalics, for example); do they not show pathology and atavism reunited? And how can one conceive atavistic phenomena in man without admitting the influence of fœtal pathology?

In initial studies in the experimental field logic is most often wrong, and so-called common sense is one of the greatest enemies of truth. Here one should work with the telescope rather than the magnifying glass. Manouvrier accuses me of exhibiting only a few criminal monsters. In nature there are no accidents; all phenomena are the effect of a law; the monsters are often the result of exaggerated laws. Again it is said that I have chosen too many examples, and have not selected them. There is truth in this. We admit there is not one criminal type, but many special types, of thief, swindler, murderer. I have united the observations of many savants who are not agreed. These differences are easily explained, as each has his predilection for certain anomalies and neglects others. Corre called attention to asymmetry; Albrecht to the lemurian appendix to the jaw. I have noted the occipital median fossa. These anomalies have been observed in the criminal. One can recognize easily the anatomical characters of the criminal, and especially the frontal sinuses, the voluminous zygoma and jaws, large orbits, facial asymmetry, pteleiforme type of the nasal opening, lemurian appendix of the jaws. I have given the details from a personal study of 177 craniums of criminals in addition to the results of other authors. The anomalies of the frontal sinus were 52 per 100; for asymmetry, 13 per 100; for receding forehead, 28 per 100. These are the results of the examination of craniums alone. Our measurements on the living apply to 26,866 criminals compared with 25,447 normal persons. Opposition arises from a number of opponents, who are not cognizant of publications made in foreign languages.

Magnan disagrees with my opinion that in infancy there is a natural predisposition to crime. He says that the child passes from the vegetative life to the instinctive life. If these ideas were developed a little he will find, with Perez, in the child a precocity of anger, which causes him to strike persons, to break things, like to the savage, who becomes furious when he has killed the bison. Moreau has said that many children can not wait an instant for what they have asked for without becoming angry; children will be affectionate for a moment and right after it quite the contrary (Bourdin); they are often without pity. Broussais finds many children who delight in wounding animals and tormenting the feeble; he finds children lazy even when it has to do with their pleasures and games; their vanity makes them proud of their shoes, hats, and the least superiority.

But Magnan admits this only in case of invalid and unbalanced children. But it is just these defects which render permanent those embryonic tendencies toward crime; here resides the teratological and morbid nature of the born criminal; but when these pathological hereditary blemishes do not exist, criminal embryonic tendencies have become atrophied, as in the case of embryonic organs, for example, the thymus. I am criticised for not giving sufficient attention to moral surroundings. This is true, but my justification is that so many have occupied themselves so much with these questions that there is little use of demonstrating that the sun shines. Tarde and Colajanni deny the relation between organs and functions. Colajanni says there are organs without functions; Sergi well replies that they are simply enormities. May not such organs be a résumé before being substituted for those which usage would have destroyed—like new garments replace old ones? If, according to Colajanni, the function gives rise to the organ, how would an organ arise deprived of function? Féré also denies my conclusion that the germs of moral insanity and crime are normal in the first years of man, just as in the embryo certain forms constantly meet, which in the adult are monstrosities. The reason of this is because Féré believes that humanity has been constituted only by individuals having the anti-social tendencies of children. But he does not take account of savages. But Preyer shows that in the language of children there is the lagorrée, disphasia, ecolalia, bradiphrasia, paraphrasia, and acataphasia of the insane and idiots. Preyer shows the atavistic mark of these anomalies; that while abnormal in the insane they are normal at a certain age in man, and he explains the teratology by embryology. It is not true to affirm that the degeneracy of the criminal excludes a type, for each degeneracy (cretin, scrofulous) has its own special type. Von Liszt adopts our practical conclusions, but does not accept our theories, because so many criticise them. This is the usual criticism of all those who try to trace out new furrows in the scientific world.

Crime: Its Cause and Remedy, by L. Gordon Rylands. London, 1889. pp. 264.

Where wrong has been done there is no possible contrivance in preventing the community from suffering loss, therefore the principal object must be to get rid of crime altogether. The best means for accomplishing this result depend upon a clear idea as to the causes of crime, which are defective training or total absence of any; immoral associates and bad example in prison as well as out of it; drink, idleness, and the hereditary transmission of evil tendencies. These causes are not such as to make one give up hope. Heredity is the most difficult to contend against.

The rapid increase of population, the consequent difficulty of providing each with food, the enforced idleness coupled with hunger, which keener competition for work is multiplying, all these tend to the growth of crime and may be termed the active resisting forces. In reforming a number of men with varying degrees of depravity the least corrupt by nature and habit yields first; and however much a system may improve, it is probable that a certain amount of dregs will always remain, which must be dealt with in a different way. The resistance here described may be called passive. The present system of criminal jurisprudence has been found to be of very little worth; certain reformatory influences of private endeavor have largely reduced the amount of crime during the last thirty or forty years; these influences have done about all they are capable of, and if the lessening of crime is to be continued more efficient methods must be adopted.

That which makes vice repugnant to virtuous men is the force of habit and therefore measures must be taken to prevent the formation of vicious habits in youth by fostering in children habits of industry, honesty, and self-control. More than half of criminals committed their first misdemeanor at an early age. To cultivate habits of rectitude in youthful and receptive minds, schools of a special character are necessary for children likely to be exposed to temptation. These schools are to a limited extent in operation at present, being reformatory schools for the reception of young criminals. Children should be boarded out and not brought up in workhouses, and when old enough they should be sent to industrial schools, and parents should be compelled to contribute a due proportion of the cost of the State education of their neglected children; this is a *sine qua non;* if this should prove impracticable the system must be given up, for nothing can justify giving negligent and dishonest parents an advantage over thrifty and conscientious ones. But sufficient determination will avoid such an alternative.

In assigning penalties the object should be not retaliation, not to terrify the culprit with the mistaken desire to make him an example to others, which in reality lowers his self-respect and benumbs his mental and moral faculties; but it should deal with the offender's moral nature, and should prevent contamination of the hitherto innocent by keeping apart every immoral person who has come within the scope of the law, until his discharge with reasonable certainty will be a benefit rather than an injury to the State.

If a man is quite unfit to live, life should be withdrawn from him. Society deals with criminals in self-defense; if they can be made useful citizens the best of all results is obtained; if they will not work but prefer to starve, that is their lookout; if they endanger the lives of the members of society, their death is the last resource. To keep men in a separate cell at public expense is futile and a waste of public money. The present method is a failure; we should not remain contented with a bland smile and watch criminals being manufactured by society in the very establishments which are designed to eradicate them.

CHAPTER III.

CRIMINAL SOCIOLOGY.

CRIMINAL ARISTOCRACY, OR THE MAFFIA.

The aristocratic sentiment is found among the lower forms of life, where it does not seem to have degenerated, as in man. It is easily traced through the savage world up to man, where, if it does not take the form of a government, it seems to exist in classes or individuals as much as ever. While this is manifest enough in the higher circles, it is just as evident among the unfortunate and lower. The poor on the second floor of the tenement house consider themselves superior to those on the top floor. In the almshouse and insane asylum the same feeling is the cause of many petty quarrels. Among criminals, both in and out of prison, the aristocratic sentiment often shows itself in the form of associations. The highway robber detests the petty thief, and the most brutal murderers hate liars and consider them cowards.

Association strengthens criminals by discipline, develops their old savage tendencies and causes them through vanity to commit atrocities that would be repugnant were each of them alone.

The purpose of criminal associations is almost always to appropriate the property of others. They are mostly composed of unmarried young men, who are without education. In their organizations many have an armed chief with dictatorial power, and his authority, as in savage tribes, comes from personal qualities. There is sometimes a division of labor; there is an executioner, a schoolmaster, secretary, priest, physician, and sometimes a surgeon, charged to disarticulate the fingers, so that expertness at stealing can be acquired. Some associations are not allowed to steal in the locality where they live, so that they may have safe domicile. If anyone is put in prison for a small offense they take the precaution to hide nails and files in the cracks in the walls. When they walk with their booty the women go ahead, holding the packages as if nursing a child. In some societies each has a manual for action and dictionary for slang; some imitate epileptics by falling down in a crowded street, simulating a fit, and consorts pick the pockets of those pressing up to see the supposed victim; others play the part of the insane or deaf-mute.

One of the well-known criminal organizations is the Maffia, an association of malefactors, whose home is in Sicily. As a rule, it has no secret sects, statutes, regular meetings, or organization. Its power, however, is very great; it is incarnated in the Sicilians. It is divided into two clans, the Maffia of the city and the Maffia of the country. They operate together, sustain one another and divide the booty. The members of the city Maffia steal, assassinate, seek to get possession of the large proceeds, and to hold the association in their grasp. The rustic members are bands of from ten to twenty brigands, who infest the country, causing terror everywhere. The Maffia are professional criminals, and desire to become rich by this method. They have their own code of justice, which is not social justice; their verdicts are unchangeable and prompt. A witness condemned by the Maffia is killed within twenty-four hours. They work by terror. A judge will avoid condemning a criminal, through fear of being stabbed; a witness against the criminal shares the same danger. The prefect of Palermo defines the Maffia as a latent and pernicious power in a country where corruption and reaction against authority is a heritage of the past. By the aid of this society people of every class yield to a reciprocal assistance in view of defense, plunder, gain, power, vengeance in using all the means that law, morality, and civilization detest and condemn. The rich practice it to protect their person and property.

There are classes of *Maffiosi:* the *Maffioso* of action, that is, brigand, the thief, or the assassin; the secret *Maffioso*, who gathers and distributes the news and is a silent aid for the perpetration of crimes; the *Maffioso manuten golo*, through fear or interest, is the purveyor and receiver of stolen goods for the *Maffiosi* of action.

The *Bassa Maffia* is a lower grade of the society. Here any scamp who thinks he has courage can become a *Maffioso*; he threatens to kill some one and is honored by all. The *Alta Maffia* seeks to make a show of good manners, and at the same time to be in accord with the brave of the *Maffiosi* of low extraction.

The *Bravi*, or supreme chiefs, are sometimes elegantly clothed and wear yellow gloves. Then there are the stabbers and the thieves. They seek financial aid in enterprises of vengeance, in clandestine lotteries, in illicit profit from public works, and sometimes in blackmailing.

They all follow faithfully their unwritten code. Here are some of the principles: To keep absolute silence concerning the crimes which they witness, and to be ready to give false testimony in order to cover up traces; to give protection to the rich for money considerations; to defy public force at all times and everywhere, and always to be armed; to fight a duel for the most frivolous motives, and not to hesitate to stab treacherously; to avenge at any price injuries received, even if one is intimately related to the offender. Whoever is found wanting in any of these respects is declared *infamous*, which means that he should be killed without delay, even if in prison; if weapons are wanting, to suffocate him in his pail. He receives also an order to give himself up to death. Knowing the condemnation to be irrevocable, he strictly obeys. Before killing a comrade one notifies him by drawing a cross on his door or by shooting a pistol at his house. Lombroso has seen many escape death by seeking mercy in being shut up alone in a prison cell.

Like ordinary rascals, they have their slang; they say "sleep" instead of death, "cats" for war, "ruby" for eye, "product of extortion" for linen, "tic-tac" for revolver. Their principal home is in prison. They are firm in their hatred. Lombroso tells of one, who, feeling himself the weaker one, kept his vengeance for fifteen years; until at last his adversary was condemned to death; then he petitioned the Naples court and obtained the favor of filling the office of executioner.

The most complete organization of criminal aristocracy is the Cammorra at Naples. The Maffia is a variety of the Cammorra. A further study of the Maffia can be pursued perhaps in no better way than by describing the Cammorra.

This organization consists of a number of prisoners, or ex-convicts, formed into small independent groups, but under one hierarchy. The aspiring candidate must prove that he is courageous and that he can keep a secret. He should kill or wound anyone who would name to him the sect; if victims were wanting, he must fight with one of his future colleagues with a knife. Formerly the test was a more difficult one, where the candidate was obliged to raise a piece of money while the Cammorrists pierced it with their daggers. He must submit to an apprenticeship of two, three, and sometimes eight years; he is in service of another, who gives him most fatiguing and perilous things to do, allowing him a few cents once in a while, for charity's sake. After he has gained the esteem of his master by zeal and submission, a meeting is called and his reception as a Cammorrist is deliberated upon. If received, he must fight again in the presence of the assembly; he takes the oath over two daggers forming a cross, that he will be faithful to his associates, show himself in everything an enemy of authority; have no relation at all with the police; never denounce thieves, but to have a particular affection towards them, as towards those who expose their line continually. After this a banquet finishes the celebration.

One of the most important matters is the distribution of "*la cammorra*," a little vessel which contains the extortions in gambling rooms, brothels, from those who sell watermelons and newspapers, from hackmen and beggars, and from prisoners. These last furnish the best revenue. On entering prison the "unfortunate" must give a tenth of his possession, and pay for drinks, food, gambling, and for sleeping on an easier bed.

A Cammorrist cannot kill a comrade without permission from the chief, but in revenge he can make away with anyone else. If there are doubts as to the fidelity of a colleague, before condemning him they send him a plate of macaroni; if he refuses to eat it (for fear of poison, perhaps) they feel certain of his guilt, and his condemnation is pronounced, and lots are drawn to indicate the apprentice who must execute it. This is done punctually, as shown by this fact, A prisoner tells the governor of a castle that a Cammorra had been established for some time, and that it was his misfortune to be one of the chiefs. One of the laws is to compel all the convicts to pay 2 cents a day. A certain convict, Razo, would not submit to this. The chiefs of the Cammorra voted unanimously to put him to death. But the lot fell to him (the chief) to strike the blow; he accepted and was to commit the crime that morning. But on reflection at the sad consequences of such a forfeit, the cause of which was only 2 cents, he restrained his arm and went out of the castle. He then begged the governor of the castle to isolate him, for, after this treachery, his comrade chiefs would kill him without pity.

Yet the Cammorra is not wholly without heart, as shown in the case of the young girl whose lover had been condemned to death for refusing to pay his contribution. She asked that her lover might be pardoned, and it was accorded to her with Olympian majesty.

GAROFALO'S IDEAS ON THE REPRESSION OF CRIME, REPRESENTING THE ITALIAN SCHOOL OF CRIMINOLOGY.

The problem of individual moral responsibility is perhaps insoluble. There should be no discord between judicial logic and social interest. From the moral point of view, individual responsibility is much lessened by bad example from infancy, traditions of family or race, bad habits that have been formed, violence of passion, temperament, etc. As responsibility lessens, so the penalty lessens, until it is reduced to a minimum, if you can prove extreme force and impulsion to crime. Now, there is scarcely a guilty man who has not *extenuating* circumstances. There is not a crime where we can not discover such circumstance. That is, the only criminals who should be inexcusable, are those for whom one has not sought out the extenuating circumstances. But the reply is, that it concerns only bad tendencies, and the free will of man can triumph over them. But how can one measure the part that comes from bad tendencies, and that which comes from free will? The progress of anthropology shows that the most culpable have almost all an abnormal psycho-physical organization. If penalty depends upon the principle of moral responsibility, we should acquit some of the most ferocious assassins, as soon as their extreme natural brutality and all-powerful criminal impulsions are shown. In any case the punishment should be lessened in the measure in which the causes of the bad tendencies become evident. The more perverse and incorrigible the criminal the less should be the punishment. The public have protested against the verdicts of acquittal by juries, against the indulgence of magistrates. But such acquittals are the triumph of logic; only the triumph is at the expense of security and social morality. There is no way to avoid this unless we make the penal criterion depend upon *social necessity* and not on moral responsibility of the individual. Society does not concern itself sufficiently with crime, neither as regards the victim nor as to prevention of crime. The fact that in the midst of our civilization thousands of persons are slaughtered each year, where one does not directly desire money or life, is significant, and it is all the more hideous, as life becomes more pacific and less uncertain. In all Europe the average number of murders each year from 1881 to 1887 was fifteen thousand. In the United States the proportion to population is much larger.

But what does society do to prevent these evils? Little or nothing. Crimes have been tabulated, because a scale of penalties has been asked for, where for each *délit* a measure of suffering is designated in the form of detention in a building, where the prisoner, for a certain time, is lodged, fed, and clothed at the expense of the state. After this time has passed, the prisoner becomes a free citizen, and is said to have expiated his crimes, or to have paid that which he owes to society. All this is nothing but rhetoric. The truth is, the criminal has paid nothing; it is the state, on the contrary, which has paid his expenses, which is really an addition to the damages of his crime. Nor has the criminal improved morally; there are no miracles in prison; the convict is not terrified; our penitentiary system is not severe; on the other hand, physical pains are easily forgotten. He leaves prison and enters into the same surroundings in which he was before his condemnation, where he finds the same temptations. In the eyes of the people, the codes and the judicial power have the appearance of protecting the criminal against society, rather than society against the criminal.

It is objected that fatalism is the outcome of these ideas. This is a false interpretation. Experience demonstrates that the individual always acts in the same manner when under the same intellectual and moral conditions and the same exterior circumstances. It is foolish to pretend to better the criminal by imprisonment or by any other mode of punishment, if, after release, he is allowed to return to his former surroundings. But it is not impossible to aid the criminal if he is put into new conditions, where he sees the necessity of honest work, and where stealing will be profitless to him. Those are rather fatalists who say that crime has always existed and will exist, and, therefore, consider it as one of the evils which must always afflict society. But, it is said, instead of punishing we should modify the conditions in suppressing the causes of crime. But this is out of the question, for the legislator can not do that, which is solely the work of time. Why should this strange antinomy exist in contemporary society: that the majority, who have the sovereignty, should make one exception, and that, too, where it is against the smallest, the most harmful, and most abject minority, that of the criminals? Why should the large part of humanity be put to inconvenience in changing the conditions of social existence in the exclusive interest of a mere handful of worthless individuals? Why, on the contrary, should not these few who are unadapted to civilization be eliminated?

The criminal anomaly diminishes in proportion as the provocation increases. Crime is a legitimate reaction in principle, but it is excessive, and the abnormality consists in this excess. The most rational means of repression should consist in the removal of the delinquent from the locality where the victim or his family lives, and in prohibiting his return before a certain time, and in every case not before he has paid the indemnity due to the victim or his family. A more difficult problem is the treatment of a murderer, whose motive was vengeance for a grievous wrong or insult to his family. An affront is *real* which is considered so according to the ideas of our surroundings. It is of little importance whether this environment be the whole world or only the part in which we live.

Great criminals are by nature devoid of moral sense and have very little feeling of pity. They commit murders which would be impossible without an innate and instinctive cruelty. Such are assassins. Thus all murders for a purely egotistic purpose, as desire of gain, or of some advantage or pleasure which has to do with money, sexual appetite, aspiration for power or favor are acts which prove an exceptional perversity and the most complete absence of the altruistic sentiment. In this class of crimes are those for which the motive is the appeasing of a pathological desire, as assasination accompanying violation, or of enjoyment of the sight of blood and of torn flesh.

Then murder, in all cases where the victim has done nothing to merit the hatred or anger of the murderer, belongs under the same head; so parricide for such blood vengeance occurs only in men of abnormal physical constitution. Of like nature is the murder of a benefactor, or of an inoffensive unknown person to make a parade of muscular force or skill in using arms. Another category is characterized by the manner in which the murder is executed: the torments, the length of duration of the same. These always denote an innate cruelty. Such atrocities show a total absence of the sentiment of pity, even when the intention to kill was uncertain. The code of Napoleon was right in naming everyone an assassin who has been cruel with the body of the victim.

The character of the instinctive murderer does not depend upon premeditation. The rapidity of the act has no relation to the corrigible or incorrigible nature of the agent; it is compatible with the most complete absence of pity. On the other hand, Holtzendorff, an eminent authority, holds that premeditation does not signify the exclusion of passion, which is manifested more or less immediately according to the temperament of the individual. Despine says that violent criminals are as much devoid of moral sentiment as criminals of cold blood. There are men who try to quarrel with a person and strike him; he naturally reacts, and this affords an excuse for stabbing him. Such a one is an assassin, although the act was instantaneous and unpremeditated. On the other hand, an atrocious injury, a striking injustice, having poisoned the life of a man, can push him to tragic vengeance; there is premeditation, but this is not a sign of a great criminal.

Premeditation is, then, not always an index of that extreme physical anomaly which distinguishes the great criminals. The cruelty with which the murder has been committed and the absence of any grave injury on the part of the victim are the two criterions which should replace that of premeditation. This is in order to distinguish the assassins, that is the great instinctive criminals, who can be regarded as beings morally degenerated and perpetually unsociable. The impossibility of adaptation of such individuals being recognized, it is necessary to eliminate them absolutely from society. There is only then the death-penalty for all great criminals, except in the case of the insane. But it is claimed that imprisonment for life will accomplish this end. But this is incorrect, because, first, there is the annual number of evasions; then there is a good number of probabilities, as revolts, pardons, etc., that can give the prisoner freedom. It is also not so rare an event that those condemned for life assassinate their keepers. But if imprisonment for life were one means of elimination, it should not be given the preference. For why should beings who no longer form a part of society be preserved for life? It is hard to understand why citizens, and even the families of the victims themselves, should be obliged to pay a tax in order to clothe and feed the perpetual enemies of society.

But the death penalty has the great advantage of intimidation. It is true that intimidation is no criterion of penalty in the sense of making a man suffer more than his individuality requires for the sole purpose of example or terrorization. The means of repression should be adapted to the individual nature of each person in proportion to his want of fitness for social life with a greater or less probability of the delinquent becoming assimilable. But in the cases under consideration, the criminal is *unassimilable;* he should then be eliminated absolutely. The death penalty realizes this; there is here no excess, no injustice. Although intimidation does not affect all malefactors, yet it does a large number, who are little influenced by the idea of imprisonment for life. But this influence of the death penalty extends its influence to lesser criminals, because one tending toward a career of crime does not consider exactly what he can do or what punishment he may suffer; but the fact that there exists a power to deprive some of the criminals of life (he does not know who) can become a strong enough motive to paralyze a criminal tendency.

There is a class of delinquents who stand between criminals and normal men, because their offenses are less serious violations of the feelings of pity and are more of the nature of roughness, or indicate want of education and reserve. Such are blows in a fight, where there is no intention of murder; here there is little development of the alternative sentiment; here belong injuries and threats having no particular gravity. Imprisonment here is advantageous. The offender should pay also a fine to the State and also another for the benefit of the injured party.

Another large class of criminals are those who are totally or partially deprived of the sentiment of probity. Aside from the kleptomaniacs, pyromaniacs, the epileptic thieves and incendiaries, who should be placed in asylums for insane criminals, there are the thieves, incendiaries, swindlers, and forgers who are not insane, but who have a criminal instinct (according to Benedikt, it may be a moral neurasthenia). These and the habitual delinquents of this species, whether their improbity be congenital, or having commenced from bad education, example, or company, has become instinctive and incorrigible, should be transported into some distant land, where the population is small and where assiduous work is the absolute condition of existence. But if the neurasthenia is insurmountable, a further elimination into a savage country is necesary.

But it is objected that deportation is at an end, because civilization is invading the whole world. France has New Caledonia, where colonization has scarcely commenced, and where it sends its (recidivists) habitual criminals in spite of the opposition of the Australian government, which is more concerned as to a future commercial competition than the puerile fear of criminals fleeing New Caledonia and infesting Australia. Russia possesses immense Siberian regions, where the population is excessively sparse. The government of English India continues to send criminals to the islands of Andamans.

But, it is said, space will be wanting in the future, the mines will be exhausted, etc. Is it necessary to cease to care for the present world on account of a vague probability? After the large islands of Polynesia, Australia, and Malaysia, there will remain the innumerable Madreporic groups in the Pacific Ocean, which for the most part are deserted. When there is no more room here there will always be the Sahara and the center of Africa. For a few centuries at least there will not be wanting space where civilized nations can pour out their most impure elements.

But there is without doubt the economical side to solve. There are the expenses of transportation, the supervision, etc. We must consider, however, the expenses of our prisons at present, and that habitual criminality, which represents about half of the total of crimes, will be suppressed; also the criminal will be obliged to gain his living by agricultural work which will not fail. In prisons it is very difficult to employ convicts at useful labor.

In this second subclass of criminals whose improbity is congenital, or has become instinctive by habit, and who at the same time are, by the gravity or number of their crimes, a pressing danger to society, it is necessary to follow another plan than that of those whose depravity is not complete and who have not yet become recidivists or extremely dangerous. The latter is a very numerous class. The individual whose sentiment of probity is not very profound becomes guilty on account of bad example through imitation; often a first fault involves another. For there are very humble social positions where a good reputation is a necessity; a domestic or workman who has been found stealing will not easily find another place; a new career then opens to him—that of a malefactor. He will enter it without flinching, for his greatest safeguard is now broken; he has nothing more to fear since his improbity has been discovered.

The only possible remedy here would be a change of country, habits, kind of work—a new existence to commence. Now, in order that the punishment inflicted by the state may aid matters rather than make them worse, as at present, it is necessary to distinguish different cases according to the causes which have determined the crime.

France, since 1850, has had agricultural colonies for young men acquitted on account of lack of discernment, and for minors condemned to more than six months or less than two years of imprisonment. The length of time varies from three to six years; agricultural work predominates. Public money has never been spent more usefully, for the state returns 93 out of every 100 who are adaptable to society. Otherwise the larger part of these would inhabit prisons for the rest of their lives at the expense of the nation. When the time arrives the director of the colony places the young man with some farmer, or has him enter the navy or army. The individual thus finds himself away from his former environment. Colonies of this kind can be established in civilized countries without any danger, for the supervision of the young men is not difficult. Whatever difficulties there are, they are not to be compared to agricultural colonies, where the men are condemned to hard labor, as has been attempted in Italy, and is a grave error.

Among many passing beyond adolescence there is a large number of novices at theft, who have been brought to crime by idleness, ignorance of a trade, abandonment, spirit of vagabondage. Such cases should be enrolled in a company of workers for the state, with a nominal salary, not inferior to the ordinary, but which will be retained for the payment of a fine to the state and for the damage to the injured party. Here there will be the choice between working and starving. The workman should not be released after he has fulfilled his obligations until he has found employment; then he should furnish security, which will be confiscated in case of another similar crime, and will not be rendered to him until after a number of years of good conduct. In case of the *récidive*, perpetual relegations should be made directly; all other means are inutile, because there is a proof of a persistent individual cause—aversion to work. The same treatment is adapted to swindlers and forgers.

But sometimes the delinquent is not an idler or vagabond; he has a trade by which he lives, he may be quite well-to-do, yet by a strange aberration he commits a theft, or by pure cupidity he takes money placed in his care, or he becomes suddenly a swindler, or forger, or bankrupt. But there is no proof of improbity on this account; as there exists no constant motive to determine a new crime, it is possible that the delinquent will not fall again, if his cupidity has been completely disappointed, so that he sees that honest conduct is much better for his own interests. For this, there is nothing better than forced payment of the fine and damage to the injured party. This would produce other advantages for society. An unfaithful cashier or fraudulent bankrupt would know that if once discovered he could not enjoy the smallest part of the money stolen, but would have to return all, every penny, or otherwise he would have to work an indefinite time for him whom he had robbed. This is a forcible way of causing the sudden reappearance of the sum that might be thought to be in the hands of consorts. This is much more useful than imprisonment for a fixed time, which is no profit to any one, and only adds to the damage from the crime the expense of supporting the prisoner. If the money has really been spent the offender must work without respite for repayment of the injured party. If he will not do it voluntarily, he will be obliged to do it by working for the state, where there is no bread without labor. If, in spite of his efforts, he is unable to gain a sufficient sum, after a certain number of years, according to his age or his good will, this constraint can be fixed to ten or fifteen years; but this term should be lengthened as soon as a want of assiduity is noticed. If the delinquent fulfills all his obligations, he is to be released, and deprived only of his political rights with interdiction of any public function, or of exercising commerce, if it is a case of a bankrupt.

It will be noticed that temporary detention for a fixed time in advance (the typical penalty of our present legislation) has entirely disappeared in the system that has just been outlined. This new system is an attempt to give to penalties a social utility, and this is done in the most logical manner, by the principal of rational reaction against crime; this consists sometimes in absolute elimination by the death penalty, or relative elimination by seclusion in an asylum, or deportation with abandonment, or perpetual relegation, or indefinite relegation, or simple damages with payment of a fine, or by public labor.

There are but few kinds of crime in which it is necessary to hinder the delinquent physically as the sole means of avoiding its repetition. Such is, for example, the counterfeiting of money. Here imprisonment is necessary until it is reasonable to suppose that they have no longer associates. Imprisonment in advance applies to these cases, not in the code of criminality, in which there is a special immorality, incompatible with those attributive sentiments which are the basis of present morality. The immorality of these actions consists principally in a revolt against authority or in disobedience of the law. If this political element is predominant, the penalty should be of the nature capable of assuring support of the law. This does not pertain to real malefactors, but to revolts. Here is the limit where the reason of the state replaces the natural laws of social organization, and where considerations as to crime cease.

To fight against an enemy with success, it is necessary to know him beforehand. Now this enemy, the criminal, the jurists do not know. In order to know him, one must have observed him for a long time in prison. It is to those who have thus studied that the future will reserve the mission of transforming penal science into harmony with social necessities.

CRIMINAL SUGGESTION.

It is a common experience that when one of a party yawns another is liable to do the same. There is an instinctive suggestion to look when the crowd are gazing on the street. This elementary power of suggestion becomes morbid in the case of the habitual thief. Any desirable object he sees suggests taking it; there is a spontaneous feeling too tempting to resist. If questioned closely why he takes it the man's last and repeated answer is simply that he likes to.

It was the custom in Denmark during the last century to have a procession of priests, repeating psalms, accompany the criminals from prison to the place of execution, after which a sermon was preached. The contagious suggestion from this display made condemned criminals ambitious to die amid such pomp. The result seemed to be a large increase of murder in the country. At one time martyrdom became so contagious in the church that it was forbidden. Religious history contains many examples of excessive enthusiasm arising from nervous contagion. In massacres, after a few men have been killed the sight of blood intoxicates the crowd, who rush upon the prisoners with fury and reckless murder.

Aubry[1] defines the will of a crowd as the resultant of all the actions and reactions of the individual wills in contact. This collective will can be led by suggestion to act contrary to the principles of many of the individuals who compose it. What an excited crowd will do no one can predict; the most timid man has been transformed into a beast. In the French Revolution certain men blamed the assassins severely; but later these same men, finding themselves, from curiosity or by accident, in the presence of a massacre, were overcome by the excitement and participated in the slaughter. In a crowd some people are taken with dizziness; others, not knowing what is going on, are influenced by the noise, or mystified, and give way to the least impulsion, imitating those around them, not knowing why; they may take arms without suspecting results. It is thus that riots sometimes arise.

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[1] *La Contagion du Meurte,* Paris, 1888.

War springs often from a patriotic suggestion, and frequently over some insignificant question; it is encouraged by the younger element in the nation rather than by the more experienced. The nation strives to annihilate its neighbors; there is thought of little else than the need to kill the enemy; this continuous suggestion becomes contagious and causes each citizen, howsoever egotistic and selfish, to be willing to give up his personal interests and business and fight for his country. Aubry says that war is a neurosis, a homicidal insanity.

In Europe, where dislike or hatred exists between nations, the immense standing armies are a constant suggestion of future utilization; they are a menace to the temporary equilibrium of the forces of hatred. The frequent outbursts of anarchistic or socialistic radicalism in the destruction of life or property are symptomatic of the neurotic temper of the times, and are a sign of a deeper social disease arising from the unfortunate condition of many in poverty or on the verge of poverty. Such discontented persons are particularly susceptible to dangerous suggestions, which can be fanned into a flame by the daily reading of detailed accounts of crime against government, property, or life. Every daring robbery, every throwing of dynamite or other riotous act, is almost certain to be followed by similar crimes.

A woman who throws vitriol upon her lover is seldom convicted. She is described in the newspapers; the color of her hair and her other charms are dwelt upon, her letters and her photograph are published. Women with more imagination than intelligence are fully prepared to imitate the heroine, when any peculiar grievance or temptation affords occasion. The force of such suggestion has been known to result in epidemics of vitriol-throwing.

With those illustrations of the influence of criminal suggestion upon society as a whole, we may pass to the consideration of cases[1] of an experimental nature, and other special cases.

The difference between criminal suggestion, criminal hypnotism, and somnambulism in its deeper stages is one of degree, and thus individual cases may be found in these several stages.

It is possible during somnambulism to compel certain persons, contrary to their will, to commit immoral or criminal acts; and, according to the Nancy school, this can be accomplished after the subject has returned to his normal state and at an exact time which has been previously suggested to the subject during the hypnotic state. The writer has heard Prof. Forel tell a woman in the hypnotic state that when she awoke she would see all the students headless. On awaking she looked puzzled and on being asked why, said that the students were without heads. The school of Salpêtrière does not admit that post-hypnotic suggestions are irresistible. It maintains also that a person while in a state of somnambulism is always a person who can manifest volition in resisting suggestions repugnant to a profound sentiment. Brouardel holds that the somnambulist realizes only agreeable and indifferent suggestions. Delboeuf[1] says that the hypnotized person knows that he is playing a comedy. Laurent[2] avows that he has seen some somnambulists successfully resist all post-hypnotic suggestions, and others who were unable to resist doing acts repugnant to themselves.

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[1] We are indebted for some of these to Dr. Emile Laurent, formerly "*interne*" in the prisons of Paris.

Thus Liégeois[3] shows that a hypnotized person can be made to sign a false note; and that if it is suggested to him that he owes the money in question, he will, on awaking, hold the note in memory and consider it genuine. Liégeois said to a very suggestable lady, "You know that I lent you five hundred francs; kindly sign a note that will give me security." "But, sir," the lady replied, "I do not owe you anything; you never lent me any money." "Your memory fails you, madame. I will recall the circumstances. You had asked me for this sum, and I consented to lend it to you. I gave it to you here yesterday in five-franc pieces." By the force of his look and by his affirmation Liégeois gave an impression of sincerity. Madame hesitated; her thought was troubled; she tried to remember; obedient to the suggestion, she at length recalled the loan. This suggestion assumed in her mind a real character, and she signed the note.

Whilst it is undeniable that one can in this manner be made to sign a false note or will, it is doubtful whether the experiment would succeed in ordinary life, outside of the laboratory. It would be necessary that the note should be made payable very soon, for the suggestion might not remain very long; also the patient would reason about it; subsequently the truth would be found out, and the hypnotizer would be in danger.

One may put his subject under hypnotic influence and say to him or her: "You will steal [such and such a sum at such a time]; you will bring it to me;" or "You will kill [such and such a person], whom I detest. After you have done this you will awake; but you must not remember that I have made you do this; you will believe that you acted of your own accord." Experimental suggestions of this nature have succeeded; but if they should be tried in reality the perpetrator would be more liable to be detected than if he committed the deed himself; for in the former case the person hypnotized would afterwards show by his words and actions that something was wrong; suspicion would be aroused, and it would be discovered that he was hypnotizable, and he himself as well as friends would attribute it to the hypnotizer.

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[1] L'Hypnotisme et la Liberté des Representations Publiques.

[2] Les Suggestions Criminelles.

[3] De la Suggestion et du Somnambulisme dans leurs rapports avec la jurisprudence et la "médicine" légale, Paris, 1889.

It is possible to violate the conscience of a person in the somnambulistic state and to make him divulge the deepest secrets. Liébaut hypnotized a lady, and affirmed that he was a priest and that she had come to confession. She played her part seriously. Another physician had questioned his hypnotized patient with too much curiosity. The patient, after some hesitation, much blushing and embarrassment, said, "Mon Dieu! J'ai aimé Monsieur." The physician awoke her immediately. A similar case was that of a lady who, during the hypnosis, answered questions with a confidence so serious and dangerous to herself that the physicians hastened to awaken her.

Bernheim mentions that certain subjects who have been frequently hypnotized show a disposition when awake to obey suggestions. For example, children, who are very impressionable, have hallucinations and give false testimony. Laurent cites a mysterious case of a fourteen-year old girl, belonging to the Reformed confession, who disappeared. Nineteen Jewish families resided in the town where she lived. The report soon spread that, in order to obtain her blood to mix with the unleavened bread, the Jews had killed her. She had disappeared just before Easter. A cadaver was discovered in the river and recognized by certain persons to be the body of the girl. The mother of the girl, however, was incredulous, and would not recognize her daughter. Thirteen Jews were arrested on account of the statement of the son of the sexton, a boy thirteen years of age. After being questioned at length by the commissioner the boy made confessions: He heard a cry; he went out and looked through the keyhole of the lock of the temple; he saw Esther stretched upon the ground; three men held her while the butcher bled her by the throat and collected the blood into two bowls. In court the boy persisted in those confessions. The presence of his father, with twelve other Jews who were threatened, and the ardent supplications that he should tell the truth were of no avail. He repeated the statements.

Bernheim's explanation is that the commissioner by questioning the boy suggested the matter to him. His imagination was struck with terror; the scene was called up before him; a retroactive hallucination took possession of him, and he fancied all the incidents in the scene which the commissioner had mentioned. It was just as one can do experimentally in profound sleep: the hallucination is created; the remembrance of the fictitious vision is so vivid that the subject can not escape from it.

Liégeois reports a case of a woman who being accused of infanticide at first denied it, but on being further questioned by the police commissioner, and asked whether she had not placed the child where the pigs were kept, after much hesitation, admitted it. The sage-femme had already asked her the same question and she had confessed. She renewed her confessions before the judge and the court: "I took my child; I opened the door of the place where the pigs were; I threw it in; I don't believe that it cried; I did not see it move." When this woman was taken to prison, it became known that she was in an advanced stage of pregnancy. This showed conclusively that the crime of which she was accused and convicted was impossible. On being questioned further, she said that her parents and the sage-femme had pressed her to make the confession; that they frightened her with the prospect of a severer condemnation if she did not confess. Laurent, whilst admitting that the woman was vividly impressed, does not believe that it was a matter of suggestion. He thinks it was a matter of persuasion by force, if she knew that she had not committed the crime. It is not impossible, however, that suggestion and persuasion coöperated.

An example of a hysterical hereditary case[1] is that of a man who allowed another person, whom he knew but slightly, to confide to him stolen property, which he was persuaded to carry to the pawn shop. Whether he was dupe or accomplice, the initiative of his crime was not in him. A few days later the same man was imprisoned for three months on account of being deceived. Again at liberty, he became acquainted with a woman who made him sell for her a gold watch and chain that she had stolen. The man was gentle, well-disposed, and generous, but he was easily influenced. His will had been paralyzed, and in each crime his accomplice had the control of him.

Then, there is the phenomenon of auto-suggestion, which can take the form of vengeance. Some men, when enraged, treasure up thoughts of revenge against which neither reason nor sentiment is of avail. After the criminal act is accomplished, the fixed idea disappears, and the subject becomes himself again. He is surprised at his act, and realizes that he was out of himself.

Aided by her son a woman murdered and mutilated her infirm husband on the highway. They left his body, without reflecting that it would be necessary to give explanations next morning. Dr. Laurent's notion is that the woman and her son had lived for months with the fixed idea of ridding themselves of this man, who had kept them in poverty; that they were haunted by the suggestion of murder; and that, having only a rudimentary conscience, they did not attempt to struggle against the temptation. To add to the auto-suggestion, another man, who was enamored of this woman, had promised to marry her; this further obscured their conscience, and rendered the murderous suggestion all-powerful. Thus they lost prudence and committed a crime certain to bring them to the gallows.

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[1] Laurent, "Les Suggestions Criminelles."

Tropmann is another case, best explained by auto-suggestion. Here is a young man, without bad antecedents, who commits an unheard-of monstrosity, with premeditation and great skill. He assassinates an entire family of seven or eight persons. He enticed the father into a forest of Alsace, poisoned him with prussic acid, and buried him. He dug a ditch in a field, enticed the elder son there, brutally murdered him, and buried him. He dug another trench for the mother and children, and, after enticing them there, killed them with a pickax and buried them. Tropmann desired to go to America to pass himself off for the father, and by some unknown means realize the modest fortune of this exterminated family. He was a man insignificant in appearance; his physique and moral character would not indicate that he was capable of such an infernal act. Bernheim is of the opinion that, in whatever way this idea may have entered his mind, it finally became an irresistible auto-suggestion, just as a fixed idea of suicide may culminate fatally.

It may be said that there is no specific method of procedure in order to prevent such crimes. In social as in bodily diseases there are certain conditions that no remedy can reach. While symptomatic and palliative treatment is possible, the state of social therapeutics, like that of medical, is unscientific and far from satisfactory. Often the truest and best advice a physician can give to his patient is to keep up the general health; nature will be his best servant in resisting all attacks of disease. The same principle is applicable to a diseased condition of the social organism. Since there is no "specific," the remedy must be general, gradual, and constant. It consists in religious, moral, industrial, and intellectual education of the children and youth, especially of the poor unfortunate and weakling classes. The most certain preventive is the early incarnation of good habits in children, which, becoming part and parcel of their nervous organization, are an unconscious power when passion or perplexity or temptation causes them to lose self-control. Without this inhibitory anchor many are certain to go astray. This power is generally proof against all criminal hypnotic suggestion. The methods by which such an education is to be best accomplished are as yet problematic.

THE NATIONAL PRISON ASSOCIATION IN THE UNITED STATES.

Perhaps the best method of indicating the prevailing criminological ideas in our country is to give a summary of some of the essays and discussions at one of the sessions of the National Prison Association.

As in America the practical spirit is the prevailing one, so, in the National Prison Association, the prevention and repression of crime rather than the study of the criminal has been the principal subject for consideration; and even though this method is not always the most rational, yet it has been gradually bringing to light the importance of investigations into the causes and conditions of crime, so that the value of scientific methods is beginning to be recognized.

As the members of the National Prison Association consist not only of those who have directly to do with crime, but of a large number of persons of all professions and stations in life, the essays and discussions are of a general and popular character rather than special; but they are none the less important for this reason.

In the proceedings of one of the late National Prison Associations the president of the association, Rutherford B. Hayes, maintained in his address "that especially in our own country crime is due to the business and social spirit of the day; it is the haste to become rich. This spirit leads often to the crimes of those who are rich, who are not always punished, but too frequently admired and envied." As to reformatory methods the president says that "the jails should not be schools of crime; that incorrigible or professional criminals should be imprisoned for life. The forms for the reformation of the prisoners are, first, labor and industry; then come education and religion. Manual training and industrial education are the best means in this country to fit the boy or girl to make an honest living."

Mr. C. H. Reeve, in his report of the committee on criminal-law reform, maintains that no law made in relation to crime and the disposition of the disturbers of the public order can be based upon the idea of punishing the offender. The first consideration must be his removal from society and his disposition in a place of safety. By an implied contract the individual enjoys liberty only on the condition that he does not abuse it, and if he does abuse it, or misuses his privileges, he should forfeit his rights to the benefit of the contract and should be made to labor for the State as one unfit to be trusted with liberty. On this idea alone the prisoner should be imprisoned, and the criminal law should be framed primarily for this end; a secondary end of the law should be moral reformation of the offender. The agreement of nine jurors should constitute a verdict after twenty-four hours of deliberation; no technicalities as to form or substance should be allowed to obstruct the course of trial or judgment. Under the present practice the law presumes the accused to be innocent; yet its prosecutor pursues every possible avenue to show that he is guilty. This is absurd; if the law presumes at all, its presumptions should be based on facts. The facts are that a person is accused of crime. This is the basis for inquiry. The law takes the accused into custody to prevent an evasion of inquiry, on the assumption that he will evade it if guilty. These are the facts, and there can be no presumptions of innocence or guilt under any rule of logic. The question should be, "Is the charge true or false?" Whatever will aid in answering this question should be admissible to the inquiry, with no presumptions except such as legitimately arise from facts clearly established.

If the jury find strong grounds for belief in guilt, they should not return a verdict of "not guilty," but return "not proven." In such a case the defendant should be put on trial at any time if sufficient evidence can be found to convict or acquit, and the former trial should be no bar as for being once in jeopardy. Punishment should be recognized only as a means for maintaining discipline in the prisons. High grades of crime, such as vicious and unprovoked murder, highway and train robbery, derailing railroad trains, criminal use of explosives, disfigurement by use of corrosives, willful perjury by which any innocent person is convicted of crime, and childstealing, should be regarded as unpardonable; and, in every case where the question of guilt is established beyond all doubt, the convicts be sent for life. Such characters are wholly within the domain of vicious and dangerous animals. Every State should have a board of charities and corrections, which should devote its whole time to the care of charitable and penal institutions. It should have judicial power, and rank with courts in dignity.

Gen. R. Brinkerhoff, in approving the report, said that the method of treating the criminal should be the same as with the insane, but he objected to paying the members of the State boards salaries and giving them executive power, which would make the office a political one. Gen. E. C. Foster, of the Department of Justice, at Washington, suggested that there should be a uniform system for the identification of convicts throughout the United States. Gen. Foster said, also, that a "prison bill" for the establishment of three United States prisons—one in the far West, one in the Middle States, and one in the Eastern States—had passed through the House and had been recommended by the Senate committee; that there was also at Washington a Prison Bureau for the purpose of collecting and collating prison statistics, and for carrying out the Bertillon system. This bill has been reported favorably.

Prof. Dr. Roland P. Falkner, in his address on "Criminal Statistics," says that the clearly defined functions of statistics is the observation of large numbers; its proof is not complete until it has embraced all possible causes. Its office is to prove on a large scale what in a limited field has been suspected; its proof is therefore a necessary complement to the researches in criminal anthropology. The preparation of statistics should be in the hands of a central office. The secretary or statistician should prepare an annual report which should give tables showing the number of prisoners of each race, sex, age, etc., at each separate institution. The following is an illustration of a statistical card:

ANNUAL STATISTICS OF PRISONERS.

MALES.

Name and location of institution, ———.
Number of card, ———,
Name and number of inmates, ———, When received, ———.
1. White. Colored. Chinese. Indian. Mexican.
2. Birthplace of inmate (state or foreign country), ———.

3. Birthplace of inmate's father, ———.
4. Birthplace of inmate's mother, ———.
5. Age at last birthday previous to ———. Date of birth, ———.
6. Single. Married. Widower. Divorced.
7. Occupation before commitment, ———.
8. Able to read. Able to write. Number of years at school.
9. Crime for which sentenced, ———.
10. Length of sentence, ———. Indeterminate sentences: Years, ——, months, ——, days ——.
11. Number of previous convictions to state institutions, ———.

Rev. Fred H. Wines says as to the parole system: "That unless you have the mark and grade system honestly carried out in prison and keep it from political and outside influence, and make it almost a crime on the part of a director to consider an outside application, and unless you make the parole dependent on the accurate prison record of the prisoner, you would better have no parole system."

Warden A. A. Brush, of Sing Sing, N. Y., made the report of the standing committee on prison discipline. Among other things he says:

Before entering upon the discussion we will consider the classes of men in our prisons, and the causes which led them there. A large number are in our prisons because they had no proper discipline in the family; free indulgence of parents; or parents deceive their children in small things, which causes evil habits in the child where an early training lasts for a lifetime.

The large proportion of our prison population are guilty of crime against property.

We have at Sing Sing 2 inmates for advertising counterfeit money; 11 for arson; 372 for burglary; 5 for carrying burglars' tools; 6 for destroying property; 48 for forgery; 46 for grand larceny; 1 for horse stealing; 31 for receiving stolen goods—in all, 922.

We have 171 for crimes against both person and property, and 292 for crimes against the person. Sixty of these are for manslaughter, 52 for murder, 39 for rape, 101 for assault to harm, 18 for assault to kill.

The terms of sentence, excepting 65, who are for life, average five years and six months and twenty-five days.

The previous occupations of the men are as various as their crimes. Two hundred and fifty occupations are represented in the Sing Sing prison: 22 bakers, 22 bartenders, 14 blacksmiths, 34 bookkeepers, 10 bricklayers, 20 butchers, 24 carpenters, 14 cigar-makers, 42 clerks, 31 cooks, 113 drivers, 19 farmers, 11 hostlers, 222 laborers, 14 machinists, 35 peddlers, 10 plumbers, 10 policemen, 31 printers, 23 sailors, 14 salesmen, 19 shoemakers, 25 stonecutters, 27 tailors, 18 tinsmiths, 64 waiters, 2 preachers, several Sunday school superintendents, 10 who claim no occupation, 7 who register as thieves, 3 lawyers, and 3 physicians, and 1 each of the following professions: railroad president, reporter, editor, hotel-keeper, sexton, and alderman.

We had a foreign population of 375. Austria sends us 11, Bermuda 2, Canada 9, Cuba 2, Denmark 1, East Indies 2, England 37, Finland 5, France 6, Germany 97, Holland 3, Hungary 3, Ireland 111, Italy 36, Mexico 1, Nova Scotia 3, Poland 15, Portugal 1, Greece 2, Russia 10, Scotland 6, Sweden 5, Switzerland 2, Wales 1, West Indies 1, and Spain 2. The crimes of the 36 Italians are nearly all against the person. We have nearly 100 Hebrews, almost all for crimes against property. The ages of the prisoners vary from 15 to 70. The average age is less than 28. Only 56 are over 50 years of age; 1,281 are white, 103 black, 2 Indian, and 2 Chinese. One thousand two hundred and forty-eight of our inmates had a common school education, 13 had an academic education, 6 a collegiate education, leaving only 120 uneducated out of 1,383 now in Sing Sing; 1,056 are there for the first time. The number of the employed when the crime was committed and that of the unemployed is about equal. The number received in the prison during the last fiscal year was 865. Of these 24 had been in a Catholic Protectory, 23 were graduates of the Elmira Reformatory, 1 of the Massachusetts Reform School, and 1 of the New Jersey Reform School; 766 had attended Sunday school when boys, 865 were brought up at home, and 3 by strangers. Only 23 per cent of the number had been in this prison before, while 31 per cent had been in other penal institutions.

I have given these few statistics to show the difficulty that surrounds prison discipline.

Owing to the fact that the worst criminals have the best conduct, it is difficult to judge what their conduct will be when released from prison, and this is the strongest argument for the indefinite sentence. For if a man is to be released upon his good behavior in the prison and his apparent reformation while there, we may, and very likely will, release many of our worst criminals, while men of lesser tact, who transgress the rules from a want of firmness and decision, would remain in prison for a long time, if not for life.

Work—the first thing necessary for prison discipline—should be the same as done outside of prison, where the prisoner can see something grow under his hands. Punishment for disobedience to the regulations of the prison must be severe, certain, and the same to every inmate, for the prisoner will always claim exact justice. The severer the punishment the less it will have to be resorted to. No discipline is complete that does not give the prisoners a fair education. Every man discharged should be able to read and write. The deputy warden is the only officer, except the warden, who should be allowed to punish a prisoner.

The keepers of a prison should be selected by the warden, and never for political or charitable reasons. A keeper not interested in his vocation, except for the salary, is worthless. The warden is entirely responsible for the discipline of the prison, and his power over officers should be absolute. An aid to discipline is the granting of privileges to the prisoners, such as writing or receiving letters, receiving visits from parents, and luxuries occasionally. These privileges can keep up what is best in a man, and the temporary deprivation of them will aid in keeping the unruly in order.

Those who are in the habit of using tobacco, I would give tobacco. This aids greatly in keeping up discipline. Prisoners should be made to feel that officers are desirous of benefiting them.

Mr. Z. R. Brockway, superintendent of Elmira Reformatory, says:

In the main I heartily agree with this report, but I do not believe that the difficulty of determining the reformation of the criminal is an argument against the indeterminate sentence. Certainly the officer in charge of the prison can better determine his progress towards reformation than can the judge at the date of his trial and conviction. But, as a matter of fact, there is no difficulty, under a proper system, of determining the fitness of a man for free life. There are three conditions:

(1) A perfect record, not only in demeanor but in school work and in labor.

(2) Then he must have a trade or occupation, and arrangement must be made for him in society outside for entering under favorable conditions.

(3) Then he must have that impalpable something about him which inspires confidence in him. It does not seem difficult to me at all to decide as to his fitness. Privileges under the indeterminate sentence are not necessary as a means of discipline, for you always have the supreme motive of liberty. You may deprive and indulge a prisoner by privileges without very much regard to its effect. On admission, a prisoner should be entirely cut off, for a time, from his old life. For he does not realize he is in prison. There should be no letters, visits, scarf pins, neckties, handkerchiefs, candy, tobacco, goodie-goodies (oh, the stuff!), or he will live outside, his thoughts will be outside, and he can not be got into the grind of the system

that has been established for his improvement. At first he must be cut off entirely from the outside world. This is vastly better than to let the men retain their old associations immediately, especially as not more than 7 to 10 per cent come from good families, 30 per cent have no families at all, and to the rest it is a matter of indifference. As to officers, it is impossible to obtain the best men. I desire intelligent, and, above all, disciplined officers, who, like soldiers, will obey; a human machine. I am experimenting in the gradation of prisoners, not only at Sing Sing prison, but to official position in our own institution. Under the military system I have tried the experiment in the use of prisoners promoted to officers in the first grade, putting them on the pay-rolls. We have thirty-five on duty. They are vastly superior to citizens, for they have been trained themselves.

Mr. W. M. F. ROUND: In regard to judging as to the fitness of a man to release, it is a fact that if the rules are properly made and enforced, even if a man obeys for his own selfish end, he is constantly fitting himself better to go out into society than the man who does not obey the rules. Keeping a strict record for a year, we found little less than 17 per cent of Elmira graduates falling back into their old habits.

Dr. H. D. Wey, of the Elmira Reformatory, in his paper on "Criminal Anthropology," gives a careful survey of the general points in the scientific study of crime.

Dr. Wey is inclined to the most advanced views of criminology. In speaking of the physical characteristics of criminals, he points to the pallor of the skin due to indoor life of the prisoner; he shows that prison life has inhibitory action upon the heart, due to a discontinuance of the use of tobacco, as at Elmira, and alcoholics, and to a substitution of a methodical and rythmical manner of living, plain and unstimulating food, instead of insufficient and improper food, late hours, sexual excesses with associated dissipations.

He has repeatedly observed at adolescence large and prominent nipples surrounded by areolas that were pigmented more than usual. Mammary glands as large as a hickory nut have been observed in some; there was a periodicity of turgescence of this rudimentary organ, accompanied by the secretion of an opaque fluid and a sensation of fullness and weight referred to the region of the nipple.

The genitals of this class of persons are somewhat developed; the sexual sense is usually intense. Prison life does not repress this sense; physical conditions are as difficult to control as the craving for intoxicants; in general, Dr. Wey holds that criminality is a collateral degeneracy, in the same category as insanity and inebriety.

Dr. William T. Harris, United States Commissioner of Education, read an excellent paper entitled, "The philosophy of crime and punishment." Dr. Harris, among other things, says:

I shall address you on the philosophy of crime and punishment from the side of literature and education. Crime is the attack made by the individual against the social whole. In the course of ages the state has learned how to measure crime and inflict due punishment; it has discovered that this can be done by returning the deed upon the doer. But the new penology has by degrees moved forward to a platform higher than that of abstract justice. In the name of humanity in general, whose image the criminal wears, we add reformatory measures to punishment, and strive so to modify the punishments that they shall not neutralize the reformatory efforts. The intellectual insight is reformatory in proportion to its clearness. Habit reënforces intellectual conviction, and here is the great force of military training; habit makes a second nature. In the present age individual restraints have been removed to such an extent that there is less temptation for that kind of crime which formerly showed itself in open revolt against government. The criminals are mostly weaklings, who can not use properly the freedom that is given to all classes of society; their immature development in responsibility does not need justice; it needs nurture, the principle of the family, and the educative function. Educative efforts increase self-help. It is found that the weakling class, that comes into jails and insane asylums, is disproportionately large from illiterate classes. The assertion that with education crime increases is misleading. In 1870 an investigation of the returns of seventeen states showed eight times as many criminals from the illiterate stratum of the population as from an equal number of the population who could read and write. This investigation included 110,000 prisoners. A recent study undertaken by the United States Bureau of Education shows that in the thirty prisons reporting for 1888 three and one-fourth times as many criminals came from the illiterate as their quota allowed. The two pillars of school education are good behavior and the course of study; here habits of regularity, punctuality, silence, and industry are encouraged; these are elementary social virtues. Courtesy and obedience to rules are direct disciplines to prepare the child for a law-abiding manhood. All kinds of schools are necessary in dealing with the weakling class of the community, and manual training is one of the best additions made to the curriculum for the prevention and cure of crime.

THIRD SESSION OF THE INTERNATIONAL CONGRESS FOR CRIMINAL ANTHROPOLOGY AT BRUSSELS, AUGUST, 1892.

The distinctive feature of the third session of the International Congress for Criminal Anthropology is the prominent part that jurists and lawyers took in its debates and deliberations. This alliance of the legal with the scientific is an opportune one, for it brings into prominence the practical application of the results of criminological studies. The congress for criminal anthropology should be sharply distinguished from the international congress for prison and penitentiary systems. The former consists almost entirely of university professors, jurists, and scientific specialists; the latter of prison wardens and others who have had to do with the practical side of the prevention or repression of crime. This division of labor in the common contest against crime, for the benefit of the state and humanity, is logical as well as practical, for it enables both to accomplish the work better. To say which congress is of the greater importance to society would not only be hazardous, but impossible. Certain it is that both are of the highest significance. The programme of the congress for criminal anthropology, or, in a word, criminology, was divided under a few heads; first, criminology in general, then more especially the psychology and psycho-pathology of criminals entering into morbid or diseased conditions. The division under criminal sociology points to the political and economical side of crime. Under the head of legal and administrative applications of criminology came considerations that form the link between the two congresses.

To obtain a general idea of the congress, we shall enter at once into the deliberations and conclusions of its members.

Dimitri Drill, publicist at Moscow, in his rèport as to the fundamental principles of criminal anthropology or criminology, traced the origin of the school to Gall, its grandfather, and to "Lombroso, the father and founder." In speaking of the Italian school, he acknowledged the great merits of Lombroso, but could not follow him in all his opinions. His résumé of the principles and tendencies of the school of criminal anthropology is as follows:

(1) Criminology renounces entirely the law of retaliation as end, principle, or basis of all judicial punishment. The basis and purpose of punishment is the necessity of protecting society against the sad consequences of crime, either by moral reclamation of the criminal or by his separation from society; punishment is not to satisfy vengeance.

(2) In criminology it is not sufficient to study the fact of crime; the criminal himself must be considered; it becomes necessary to define the causes which produce crime, to study the sphere of action of the criminal as well as measures for the safety of society against his acts. Criminology does not study the criminal in the abstract and speculate over his guilt or responsibility; but it analyzes him according to results purely scientific, and with the aid of exact methods which apply equally to the investigation of other phenomena.

(3) In crime the results of two factors are seen reciprocally reacting: first, the individual peculiarities from the nature of the criminal or his psycho-physical organization, then the peculiarities of external influences as climate, nature of country, and social surroundings.

(4) Relying upon exact results, criminology reveals the criminal as an organization more or less unfortunate, vicious, impoverished, ill-balanced, defective, and so not adapted to struggle with surrounding conditions, and consequently incapable of maintaining this struggle in legally established ways. This defect of adaptation for the majority is not absolute, but varies with the conditions.

(5) The causes of crime fall into three categories: (*a*) immediate, which arise from the character of the criminal; (*b*) more remote, which are hidden in his unfavorable surroundings, under the influence of which organic peculiarities are developed into more or less constant criminal agents; (*c*) predisposing causes which push these ill-proportioned and viciously developed organizations towards crime.

(6) Thus basing crime upon scientific grounds, criminology has as its purpose a fundamental study of the actual criminal and his crimes as ordinary phenomena, which it must investigate throughout their whole extent, from their genesis to their full growth and final development. Thus the phenomenon of crime is united with great social questions.

(7) Based upon these principles, criminology logically recognizes an absence of good sense in repressive measures determined *in advance* as

to their duration and specific character. Criminology, on the contrary, affirms the necessity of studying individual peculiarities, before rendering decisions in advance. The term of punishment should endure so long as the causes exist which necessitate it; it should cease as soon as the causes do.

Manouvrier, who is professor in the anthropological school at Paris, and the well-known opponent of Lombroso's criminal type, in his paper on the comparative study of criminals and normal men, did not find any real distinctive differences except in surrounding conditions, which modify the associations or combinations of habitudes and correlatively the anatomical conformation.

Dr. Lacassagne, professor at Lyons, in discussing the primordial sentiments of criminals, distinguished three classes: The frontals, (intellectual), the parietals or impulsive class, and the occipitals or the emotional class; the brain is an agglomeration of instincts which at a given moment can have a special function, and it is the preponderance of one of these instincts which can control the whole situation; this explains the want of reflection and of prudence in criminals; cerebral equilibrium, on the contrary, indicates virtue. The occipital instincts are in close relations with the viscera, and so with nutrition; hence the importance of these as social factors. This indicates that in the future it may be necessary to found the theory of criminality upon cerebral function.

One of the most important papers in the Congress was that on "Morbid Criminal Possession" by Dr. Maguan, physician and superintendent of the Ste. Anne Insane Asylum at Paris. Such a morbid possession consists generally of an idea isolated and independent of the ordinary course of thought; it is a mode of activity in the brain, in which a word or image imposes itself upon the mind, apart from the volition; in the normal state, this idea or possession gives no special uneasiness, but in abnormal persons it can produce a painful agony and become irresistible. In the normal state the possession is transitory and generally easy to repress, and does not involve the other intellectual operations. But in an abnormal or diseased subject the individual can be irresistibly pushed to acts which he consciously disapproves of. Owing to a want of knowledge of such states, judicial and medical errors have not been infrequent. Thus a person pushed by the possession of the irresistible idea to murder (generally a cherished friend), although horrified by the thought, commits the act. One of Magnan's patients, when having a premonition of the impulsion coming on, would shut herself up in a room until relieved.

A not uncommon possession is that exemplified in the case of a merchant, 40 years of age, who during a short stay in Paris entered a restaurant and on taking up a journal read the following incident: A young lady walking by the side of her father slipped and fell down, but without serious accident. The merchant knew neither the young lady nor her father. On returning home, these different facts came to his mind, but one detail was missing: the name of the young lady; he tried to sleep, but in vain; he was possessed with the idea to search for this name; his anxiety increased; he awakens his wife who sees him pale, anxious, and with perspiration upon his forehead. He recounts the story; he recognizes the absurdity of his worry; yet he weeps and runs round the room moaning and constantly repeating "What is her name?" He passes the night in this desolation, and early in the morning runs to the restaurant, finds the same newspaper and reads the divers facts again with the young lady's name; he re-reads the name, repeating it aloud; this calms him and his desire is satisfied. Thus it is with the kleptomaniac, the pyromaniac, and those with morbid sexual possessions.

According to Dr. Ladame, professor at Geneva, an individual possessed with the idea of murder belongs to the group of hereditary mental degenerates; such individuals are rare. If it be admitted that this morbid possession is frequent, on the other hand it rarely pushes to homicide, but is turned towards the individual himself, resulting in suicide. Dr. Ladame maintains that heredity is the main predisposing cause, but an occasional cause is also necessary, and this is principally in the publication of details in great crimes. An acquired predisposition is due to alcoholism. It is necessary to distinguish between insane murderers and those pushed to murder by morbid possessions. The latter belong to the large category of those affected by hereditary insanity, as dipsomania, kleptomania, etc. The possession of the idea of murder is sporadic, but is more frequently found under the form of a moral epidemic, resulting from the widespread knowledge of great crimes aud from capital executions.

No question stirred up more discussion than criminal suggestion. While distinguished men were frankly agnostic as to conclusions of their colleagues yet it may be said that those who have made the most experiments on both normal and abnormal subjects are convinced that criminal suggestion and hypnotism can be produced experimentally, and actually do occur in society.

Dr. Voisin, physician at La Salpêtrière, who is especially qualified to speak in regard to hypnotism, especially as to its therapeutical value, maintained that criminal suggestibility in the waking or hypnotic state is intimately connected with debility or mental degeneracy of the indvidual to whom the suggestion is given. There is a small number capable of committing criminal acts upon the example of degenerated impulsive individuals. The penal responsibility of an individual having committed a crime under the influence of hypnotic suggestion should be declared null, conforming to the French penal code (article 64), which says: "There is neither crime nor misdemeanor, if the accused was in a state of dementia at the time of the act, or if he has been constrained by a force which he could not resist." As to its therapeutical value, hypnotism in the hands of a physician can give admirable results. It can also save from crime and from the condemnation of the innocent, as well as from disease.

Dr. Bérillon, editor of the "Revue de l'Hypnotisme," as a result of his own investigations and experiments in criminal suggestion, believes he is justified in concluding that certain individuals present in the waking state such a suggestibility that it would be possible to make them execute automatically aud unconsciously, when under the influence of verbal suggestion, misdemeanors or crimes. If it is shown that the accused acted under such suggestions, he should not be held responsible. On the other hand, authors of criminal suggestions should be held guilty in the same way as those who by abuse of authority or power or by machinations provoke the accomplishment of a crime or misdemeanor, or simply give instructions to commit it (French penal code, article 60).

Neither Prof. Benedikt, of Vienna, nor Prof. Mendel, of Berlin, believe in the existence of crime by suggestion. Dr. Masoin, professor at Louvain, answered that negations can not prevail in the presence of facts. Voisin insisted again on his opinion, since by hypnotism he had saved from condemnation a woman, to whom a crime had been suggested. Dr. Houzé, professor of anthropology at Brussels, believed that hysteria could be cured by hypnotism and that certainly it could be ameliorated; he believed also in the reality of criminal suggestion.

Judge Tarde, of Sarlat, in France, well known as the author of "The Laws of Imitation" and of "Social and Penal Philosophy," gave with his usual analytical *finesse* a curious and paradoxical discourse on the "Crimes of Crowds." Morally and intellectually men in throngs are less valuable than in detail, that is, social collectivity, especially when it takes the form of a crowd, is morally inferior to the average individual in the crowd; thus a nation is not as moral as its normal "citizen" type; the public are not as moral as the individuals which compose it. The collective spirit, which we call parliament or congress, is not equal in rapid or sure power of functioning, or in profoundness or amplitude of deliberation, to the spirit of the most mediocre of its members, whence the proverb: *senatores bonivici, senatus autem mala bestia.* Even a liberal sect will become intolerant and despotic; a crowd, still more so; in both cases despotism in any event is much more intolerant and despotic than among a majority of the members. Why? Because the contiguity and concentration of opinions are molded into conviction and faith, which became fanatical; that which was a simple desire in the individual becomes a passion in the crowd. The crowd is a retrograde social organism; no matter how perfect, it is passionate, not rational. The more collective a crime the less it is punished. The best police force can not suppress the brutality of the crowd, unless the press cease to publish that which produces excitation to crime or misdemeanor. The jury will not punish such crimes, especially when they have a political color. Thus the necessity of an exclusive criminal magistrature is shown. The punishment should be, above all, as an example. The individual should be punished in the measure that his impunity is dangerous.

Dr. Coutagne, medical expert at Lyons, in his paper on the influence of the profession on criminality, advocated the increase of penalty where the nature of the profession aggravates the crime, as in the case of abortion by physicians. Following the principle of social necessity, the penalties for the use of injurious substances in food, defamation of character by journalists, etc., should be increased.

The respective importance of anthropological and social elements in the determination of penalty was considered by Dr. Gauckler; he showed that the essential function of criminal law is to prevent crime by intimidation, and that this function is conditioned exclusively by social elements; a secondary function is to be assured as to the "innocuity" of a first offender, and also in some degree to repair the prejudice from which a victim suffers.

Prof. Von Liszt, of the University of Halle, in considering the applications of criminal anthropology, said that the most important one is subordination to criminal sociology. The profound difference between criminals by nature and by occasion is a result that can be immediately applied to legislation. Among the delinquents by nature are found a large number of degenerated individuals especially marked by heredity. Punition must seek to combat and ameliorate the criminal by degeneracy; if the criminal is young, the most preferable measures are those of education. Whether the criminal is incurable or not society must be protected against him and he must be protected against himself. Whether the criminal is responsible or not he must in any event be placed where it is impossible for him to do injury if he is dangerous to life or property.

Prof. Benedikt submitted the following resolution, that anthropological and biological studies are indispensable for the placing of penal legislation upon solid foundations.

Prof. Van Hamel, of Amsterdam, in his report on measures applicable to the incorrigible, concluded that the principal indication of incorrigibility is recidivation; against recidivists penalty should assume the character of social defense, on account of the danger; there should be indeterminate detention for the incorrigible; there should be periodic deliberations as to such cases, and a large latitude left to competent authority, which should be judiciary.

In treating of the same question, Prof. Alimena held to the idea of long and increased imprisonment proportionate to the number of crimes; and for those guilty of small misdemeanors, especially with recidivists, an abolition of short terms of punishment, and a substitution of obligatory labor in special institutions, in companies for work and in interior colonization. There should be perpetual relegation or deportation for criminals who have passed the maximum of recidivation.

Prof. Thiry, of Liège, held to the word incorrigible in the relative sense; for him the basis of incorrigibility is the permanent moral influence to which the individual succumbs; he did not believe in perpetual, but in indeterminate, detention; there was also no necessity for judiciary intervention to prolong or interfere with the detention, as administrative responsibility and the supervision already in use were sufficient to prevent arbitrary action.

Dr. Maus formulated his conclusions as follows: The measures to be taken in regard to hardened recidivists should be, first, those that are best known; to send into the prison asylums those whose recidivation has a pathological cause; to increase considerably and in a gradual manner the duration of the punishment until it becomes perpetual for the serious crimes; finally to render repression more subjective by applying it with a view to reformation, according to the state of the criminal and the nature of the crime. Such a difficult task requires not only specialists with experience and knowledge of insanity, but perhaps it can not be accomplished without the aid of sincere devotion and sacrifice. Prevention also plays a rôle in combatting the social causes of recidivation, as degeneracy, alcoholism, prostitution, misery, etc.; these factors render vain in great part the efforts of the penitentiary, producing more recidivists than the penitentiary can correct.

Prof. Prins, of Brussels, who is the general inspector of prisons, placed the indeterminate sentence under two heads; delinquency for misery and for degeneracy; but in regard to repression proper, he saw great practical difficulties for those who are incorrigible and criminal by passion. As to the liberation of the incorrigible, relatively speaking, the appreciation of a judge or administrator is not sufficient guarantee. The solution of the question of the incorrigible lies in a progressive aggravation of punishment; and it is especially necessary to renounce prison luxury.

Dr. Paul Garnier, chief physician of the "Préfecture de Police" of Paris, in considering the necessity of a psycho-moral examination of certain accused persons as a duty of the court, said, if it is deemed excessive to ask judicial authorities to organize a medical inspection for the accused—which does not take the place of the medico-legal expert, but designates to him the cases to be inquired into—it is nevertheless a necessity in presence of frequent judicial errors. A magistrate intrusted with so delicate a mission as to decide whether a medico-legal expert is needed should at least possess certain indispensible notions of a scientific order to make such decision. If the judge orders experts, he should be able to judge of their utility and to control the results through special knowledge; but such special knowledge necessary for the interpretation of scientific facts is outside the domain of a magistrate, however brilliant and judicious he may be.

CHAPTER IV.

ALCOHOLISM.

Alcoholism may be considered briefly, first, in its general bearings, and, second, as a form of insanity. The relation between alcoholism, crime, pauperism, and charity is most intimate. For example, a certain young criminal, who tried to kill an aged woman, without provocation, said that when he was six years of age his father used to return home drunk, striking his mother and throwing sticks of wood at him. He stood it for awhile, but afterward left home, and though not a thief was compelled to steal for a living; was sent to a juvenile asylum, and, after leaving, went among farmers to live under their care, being kindly treated by a very few, whipped, and otherwise roughly treated by many. Remaining a month or so with different farmers, he finally developed into a tramp, and leaving all farmers wandered two years, stealing, eating, and sleeping wherever he could. Thus alcohol gave the initiatory to thieving. Charity endeavored to counteract these effects (result of six years of unfavorable surroundings) in two years, but the evil forces acquired by early treatment had gained too strong a foothold, and the following stages were tramping, pauperism, and crime. Such cases are typical, and almost wholly the result of evil surroundings, for which society is culpable, and for which she suffers dearly, both morally and financially. The alcoholic may be a good workman when sober, but from irregularity he loses his position and gradually becomes a pauper. A sad fact in connection with alcoholism is that often the kindest and most genial natures are for this very reason ruined through the unintentional influence of friends, for they are unable to resist the so-called feeling of good fellowship when drinking together. From the ethical point of view, it is questionable whether one has the right to take the chances of causing another to fall. *It is better to forego the physical, intellectual, or social pleasure of indulging in any luxury or non-necessity than to aid in the phgsical, moral, or social ruin of a fellow-being.*

The relation of ethics to all these forms of abnormal humanity is as direct as it is diversified. It is ethically questionable whether it is right to give to beggars; for by so doing we encourage them by virtually paying them to beg, and if not already paupers they can be made so by a mistaken philanthropy. It is a common saying and practice of Americans traveling in Europe to give every beggar "a cent to get rid of him." This, of course, has just the opposite effect.

All these abnormal forms of humanity are different degrees of evil or wrong, the highest of which is crime. They are all links of one chain. This chain is that which we denote by the words evil, bad, unjust, wrong, etc.

These forms, to wit, criminality, alcoholism, pauperism, etc., may all be considered under the head of "charitological." Thus the different institutions, such as prisons, insane asylums, inebriate and orphan asylums, institutions for the blind, deaf and dumb, and defectives; hospitals, dispensaries, relief for the poor in any form; church missions, and different forms of philanthropical work are, of course, charitable in their purpose. The difference between these institutions is one of degree, as an examination of the inmates would soon show. The pauper may be or may have been a criminal or insane or alcoholic, or the criminal may be or may have been a pauper or insane or alcoholic, and so on.

The close relation of alcoholism to insanity is shown by the statement of a specialist (Krafft-Ebing) that all forms of insanity, from melancholia to imbecility, are found in alcoholism. It is artificial; it begins with a slight maniacal excitation; thoughts flow lucidly, the quiet become loquacious, the modest bold; there is need of muscular action; the emotions are manifest in laughing, singing, and dancing. Now the æsthetical ideas and moral impulses are lost control of, the weak side of the individual is manifested, his secrets revealed; he is dogmatic, cruel, cynical, dangerous; he insists that he is not drunk, just as the insane insists on his sanity. Then his mind becomes weak, his consciousness dim, illusions arise; he stammers, staggers, and like a paralytic his movements are uncertain.

The principal character of these mental disturbances consists in a moral and intellectual weakness; ideas become lax as to honor and decorum. There is a disregard of the duties of family and citizenship. Irritability is a concomitant; the slightest thing causes suspicion and anger which is uncontrollable. There is a weakness of will to carry out good resolutions, and a consciousness of this leads some to request to be placed in an asylum, for they are morally certain in advance that they can not resist temptation. Thus one has been known to have his daughter carry his wages home, as he could not pass a saloon on the way without going in if he had any money with him. Now it is a weakness of memory, a difficulty in the chain of thought and a weak perception, until imbecility is reached.

There may be disturbances in brain circulation, causing restless sleep, anxious dreams, confusion, dizziness, headache. Such circulatory disturbances in the sense-organs can give rise to hallucinations. There is a trembling in hands, face, lips, and tongue. In short, there is a gradual mental and bodily degeneration.

From the medical point of view, a cure is generally doubtful, for in private life total abstinence is impossible. The patient must be placed in an insane asylum, or better, in a hospital for inebriates, where total abstinence can be enforced. Patients with delirium tremens especially need the most careful hospital treatment. The principal directions are conservation of strength and cerebral quiet, strong unirritating diet, and mild laxatives, etc. Such in general is considered to be the best medical treatment. A certain French specialist (Magnan) says that a dipsomaniac is insane to drink; but the drunkard is insane after he has drunk.

VIEWS OF DR. A. BAER ON DRUNKENNESS.

The simplest things are not the most simple when studied. The good and sincere total-abstinence advocate has a high moral aim in view, and shows his loyalty by his sacrificial spirit, and thinks his case so clear and simple that he never doubts it.

To insist on total abstinence from wine in France and beer in Germany is like objecting to the use of coffee and tea in England or America. The question of total abstinence is manifestly a local one; it is relative to the country, or even State, city, or town. To insist that drinking is either right or wrong in the absolute sense is an attempt to make the relative absolute, which is a contradiction. There are two distinct questions, the purely ethical and the purely scientific; and while they are separated for convenience, they are in reality together, for in the end the facts decide the "ought." The practical ethical question seems to turn on this point: to what extent the use of a thing should be prohibited when it is abused. Many ethical difficulties are not between good and evil, but between two evils, as to which is the lesser. Yet it must be admitted that total abstinence is the safest course.

It will be interesting to follow one of the recent European investigators, Dr. A. Baer,[1] of the Imperial Board of Health, and chief prison physician at Berlin.

In the past, wine was used almost wholly by the well-to-do classes, and beer was of such a nature that harm was out of the question. Excessive use of alcohol first began with the art of distillation, and with the obtaining of strong concentrated whisky from corn, potatoes, and the like. With the universalizing of the use of whisky, a series of phenomena have appeared, which are designated by the word "alcoholism."

The climate is an important factor. Drunkenness is more frequent in cold than in warm countries, and is more brutal and injurious in its effects as we go north. Yet this is not always true, for within the last ten years alcoholism has greatly decreased in Sweden, and increased in southern France and northern Italy. In tropical regions it is at present spreading fast, and with great injury, especially in newly-discovered lands. The accustoming one's self to the use of alcohol causes, sooner or later, a feeling of need for it; alcoholism is not, therefore, an inborn instinctive need, but an acquired one. Experience teaches that the longer this vice exists in a nation the greater the vice becomes. Persons who misuse alcoholic drinks, especially whisky, often become sick and die sooner than the moderate drinkers and nondrinkers. When alcohol is taken habitually, and when misused, it injures the whole constitution; all tissues and organs, and especially the blood, suffer sooner or later a pathological change, with which susceptibility to disease is increased. Alcohol intoxication not only calls out diseases and disturbances that the nondrinker does not have, but it gives rise to a greater morbidity. It is an old experience that in epidemics of cholera, dysentery, and small-pox, drinkers are attacked in larger numbers, and with greater intensity, than nondrinkers. The bad constitution of the blood, the weakness of the changed heart-muscles, the sunken energy of the nervous functions, and the frequent accompanying disease of the brain, give a bad course to every disease, and a high mortality. The greater mortality of drinkers, as compared with nondrinkers, is shown by the figures of the "United Kingdom Temperance and General Provident Association," an insurance company founded since 1847:

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[1] *Die Trunksucht und ihre Abwehr*, von Dr. A. Baer. Wien und Leipzig, 1890.

Year.	Total abstainers.		General division.	
	Deaths expected.	Actual deaths.	Deaths expected.	Actual deaths.
1866-1870	549	411	1, 008	944
1871-1875	723	511	1, 268	1, 330
1876-1880	933	651	1, 485	1, 480
1881-1885	1, 179	835	1, 670	1, 530
1886-1887	553	390	713	700
Total	3, 937	2, 798	6, 144	5, 984

In the "Total abstainers' division," 71 per cent of the expected deaths occurred; in the "General division," 97 per cent. Other companies give similar figures.

Sweden, which, up to recent times, was considered the most drunken land, owed this state of things principally to the excess of small saloons and to a very small tax on whisky. The great decrease in the number of these saloons, in connection with an increase of the whisky tax and with a temperance movement, has lessened drunkenness to a great extent. As the use of whisky decreased, the number of sick and dead from alcoholism lessened also. In Norway, also, a bad legislation had a similar effect in spreading drunkenness. With the decrease of consumption of whisky, that of beer increased; and no land has shown more improvement through the decrease of drunkenness than Norway. In Russia the alcohol consumption is great in certain parts, but in Russia as a whole it is not so considerable as one would expect from the amount of alcoholism. The results of the abuse of alcohol are in a great measure due to the climate and the social condition of the masses. Besides the raw climate, there is an insufficient nourishment, almost wholly vegetable, which drives to whisky; this is not taken in small quantities, and regularly, as in other nations, but seldom, and in large quantities, on holidays (ninety-six yearly), in family celebrations, in market-days. Recently alcoholism has decreased. In Holland, with its wet, foggy climate and great number of seaports, there has always been a large consumption of alcohol, increased by the exceedingly large number of licensed places, and especially from the fact that whisky is sold in many kinds of business (baker's, hairdresser's, etc.); as a consequence, there is a great increase of insanity through dipsomania and delirium tremens. In France, in former centuries, alcoholism was hardly known so long as wine was the alcoholic drink. But by the great exportation of wine, and by the recent appearance of oidium and phylloxera, and a like alcohol production from turnips, corn, meal, and potatoes, the alcohol consumption has gradually increased, and its consequent misuse has followed. The consumption of alcohol has more than trebled within fifty-five years. Where wine is least used there is the greatest consumption of whisky. The number of suicides is directly proportional to the increase in alcohol consumption. The number of fatal accidents due to alcohol has shown a constant increase.

In Italy the consumption of alcohol is, on the whole, very small. It is larger in the northern provinces; more recently it has increased as the consumption of wine has decreased. In Austria the consumption of beer is decreasing, while that of whisky is increasing. In Germany the consumption of both beer and whisky has been increasing. The use of beer, as compared with whisky, varies very much in different provinces of Germany: in the east and northeast much whisky and little beer; in the west and northwest, much of both; in the south, very little whisky, but a great deal of beer (Bavaria); the increase of the consumption of whisky is mainly due to its large production and very great cheapness. The consumption of alcoholic drinks within the last ten years, especially strong drinks, has been aided by the rapid increase in the number of saloons.

The relation between drunkenness and crime is not always a parallel one. Crime is not alone conditioned by the quantity or intensity of intemperance, for it owes its rise to many social conditions also; but all these unfavorable conditions are aided by drunkenness, and in this sense the abuse of alcohol increases crime very greatly. It can be said that with the increase of intemperance and of drinkers (by no means identical with the increase of alcoholism) the number of criminals and crime increases. Misuse of alcohol means poverty and pauperism, which are the main sources of crime. The injury of drunkenness to family life can not be reckoned, but daily experience teaches that nothing disturbs the family life as much; the boys fall into idleness, slothfulness, and finally into crime; the girls become the booty of prostitution.

Some of the preventive means against intemperance are: (1) Education of the children of the working classes in an orderly, industrious, and economic life; (2) construction of healthy dwellings for the working classes, so that an overcrowded room may no longer encourage the workingman to seek the saloon; (3) better food, so that he may not be tempted to make up for this want by a temporary supply of whisky, which deceives him in causing him to suppose that he is gaining strength; (4) public coffee houses, with home-like surroundings, papers to read, etc.; (5) formation of temperance societies, which in many ways warn others against the evils of intemperance. While the total-abstinence societies have done much good, yet a very practical organization exists in Switzerland which has three categories of members: (*a*) Those who are total abstainers; (*b*) those who take the pledge for a certain length of time; and (*c*) those who assist the society in a financial way. In this way a unified action can be gained, without losing the aid of those who are in favor of all efforts against the evil of drink, yet are not so rigid personally as to be total abstainers. (6) The establishment of inebriate asylums, where the habitual drinker may be rescued.

The state should limit the consumption of whisky to the smallest quantity possible, by (1) the lessening of production and the imposing of a tax. From experience in Sweden, Norway, Finland, Switzerland, and France this has lessened the so-called small house distilleries, which have been one of the greatest causes of house drunkenness; here whisky is made for local consumption, and, on account of primitive methods, is of very bad quality. (2) As to the extreme measure of prohibition, it can not be carried out in thickly populated states, where the intemperance of the people is really great, and it is not necessary where drunkenness is not extensive among the people. (3) A high tax on whisky. The consumption of alcohol increases in proportion to the cheapness of whisky. (4) A moderate tax on the lighter alcoholic drinks. Beer is the greatest enemy of whisky; it must, therefore, be of good quality and not dear, but strong alcoholic beers should be taxed very high; coffee, tea, chocolate, and all necessary articles of food should be made cheap and of good quality. (5) A lessening of the number of licensed places. The need for whisky is not a natural one, but artificial. To increase the saloons increases the number of drinkers. The whisky trade does not follow the law of supply and demand, but rather that of demand and supply. The easier it is for every individual to find whisky at all times, places, and prices the more he will drink until it becomes his unconquerable vice. The lessening the number of licensed places, in connection with a high tax on whisky or other strong drinks, is the best means that the state can employ for the control and repression of drunkenness, and it is in those lands in which political and industrial freedom is valued the most that the severest measures against the whisky business are undertaken.

(6) Punishment of the saloon keeper when he sells to persons already drunk or to minors not accompanied by relatives. (7) Inspection of the liquor traffic, both as to place and time of sale. The sale of whisky in groceries should be absolutely prohibited, because women with a tendency to drink are here very easy victims.

The repression of public drunkenness by punishment of the drinker has been tried in many countries, but with little success. Many things are forbidden in the interest of public order and well-being, and though not necessarily in themselves immoral, produce conditions which easily lead to immorality, or are otherwise dangerous to society. Yet it is rather cruel to permit saloons at every corner, and cheap whisky, and then to punish drunkenness.

Measures against the habitual drinker are: (1) Placing the drinker under guardianship. This course would not differ materially from doing the same in case of the spendthrift and the insane. It would lessen the chances of wife and family becoming paupers, and would not only be for the good of the drinker, but a warning to others. (2) Placing in inebriate asylums. In the later stages of habitual drunkenness there is a considerable number of cases of insanity, and the insanity takes the most different forms, as chronic mania, epileptic insanity, delusional insanity, general paralysis, and other phases of incurable insanity. In other cases alcoholic excess is a symptom of a diseased nervous system, where there was insanity before drinking commenced. In the first stages of mania, melancholia, and general paralysis many are driven to the use of alcohol. Dipsomania is a form of insanity, and is periodic. Besides all these there are a number of drinkers on the border line between health and disease, who, on account of their inherited mental weakness, and consequent irritableness through overwork, are given to alcoholic excesses. There are a still greater number of habitual drinkers who are not insane, but, through long abuse of alcohol, can not resist drinking; they reach such a degree of volitional and intellectual weakness, of irritability and stupidity, indifference to customs and position, and mistrust and carelessness toward their family, that it is a question whether they are not a common danger to society. The number of these persons among those suffering from chronic alcoholism is by far the greatest; Gauster[1] says that they are the most dangerous, because their condition is latent and attacks can appear suddenly. Should such drinkers be left to go free in life?

LITERATURE.

Die Alkoholfrage. Ein Vortrag von G. BUNGE. Leipzig, 1887. pp. 24.

The writer is author of one of the best books on physiological and pathological chemistry, and what he says as to this side of a mooted question deserves careful reading.

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[1] *Jahrb. für Psych.*, 1889, VIII, Heft III.

The alcoholic question is above all a physiological one. We know that alcohol is consumed in our body, that it is a source of living force; but it does not follow that it is food until this power is shown to aid the working of normal functions. We do not know whether the muscular fibers and nerve cells can utilize alcohol as a source of power. Alcohol lessens the heat of the body by working an enlargement of the blood vessels in the skin, in consequence of which more warm blood flows through the cold surface and more heat is given out. The enlargement of the blood vessels comes in this way: In the walls of the blood vessels there are small ring muscles which are in constant contraction. The cause of this contraction comes from certain nerve fibers which run to the ring muscles, and they all have a common center in the brain. Alcohol paralyzes this center; the nerve irritation ceases, the ring muscles relax, the blood vessels are widened, and the skin becomes richer in blood (recognized by the color). The reddening of the cheeks after drinking wine, which is the effect of alcohol, is a pathological phenomenon. The ordinary man says alcohol warms him in cold weather. This is a self-deception; he feels simply the warm blood streaming out to the skin in greater quantities. As a matter of fact he loses heat. The deception comes perhaps in this way: the brain centers which mediate the feeling of cold are stupified by paralysis. In general it can be proven *that all effects of alcohol which are generally designated excitation are in reality only paralytic phenomena.* The psychical effects are especially so. The brain function, which is first weakened, is the clear judgment or critical faculty. In consequence the emotional life prevails, freed from the chains of criticism; the man becomes open-hearted and careless. But above all the paralytic effect of alcohol shows itself in this, that every feeling of discomfort and pain is benumbed, and especially the bitterest pains, the psychical ones, as sorrow and anxiety, wherefore the merry feelings in a drinking company. A man never becomes clever through drink. This widespread prejudice is also a deception; it is likewise a symptom of brain paralysis, where, as self-criticism sinks, self-sufficiency rises and self-control is lost.

He who becomes accustomed to take alcohol regularly is in fact better capable of working than if alcohol was suddenly taken away from him. But this is the case also with other poisons. When morphine is taken away from the morphine eater he can not work, sleep, nor eat. He is "strengthened" through morphine. But he who is not accustomed to narcotics is not made more capable of work through narcotics.

But of still more weight are the thousands of experiments that occur in the case of soldiers; that in war, in peace, in all climates, all hardships of the most wearisome marches are best endured when the soldier abstains wholly from all alcoholic drinks. These facts were verified in the English armies in Caffraria, West Africa, Canada, and

India. And additional verification is the fact that thousands of sailors are not allowed to touch a drop of alcohol on board, and this in tropical, temperate, and especially in polar regions. Most whale-fishers are total abstainers. That which is true of bodily exertion is as true of mental. *Alcohol strengthens no one; it simply benumbs the feeling of fatigue.* The error of poor people in this regard is especially unfortunate, as they spend much for alcoholic drinks to strengthen them instead of buying rich and salutary food. The advocate of beer claims that it is nutritious. True, beer contains a considerable quantity of hydrocarbons, dextrin, and sugar. But there is a surplus of this in food already; and there is no reason also why it should be taken in a more costly form. It is claimed that beer and wine aid digestion, but many experiments have been made on animals and men, and especially on men with the aid of the stomach pump, which show that moderate doses of beer and wine lengthen the time of digestion and disturb it. Direct observations on persons with stomach fistula likewise indicate the same effects.

Alcohol as medicine is a mild anaesthetic; it should only be used for acute sickness, but never for chronic troubles, for the same reason that morphine and chloral hydrate should not be employed.

Many drink because of the good taste of liquor and not for its effects. But taste is made perverse in this way; the appetite tends almost wholly towards meat; sugar-ripe fruits and sweet food in general are distasteful to the drinker. Physiology has established that sugar is the source of muscular force. When the sweet is no more agreeable to us signifies an abnormal condition. A drinker finds himself in this condition; and he is a drinker who does not feel himself at ease unless he takes beer, wine, or alcohol in any form.

As to what shall be done against the evil of drink, there are those who are opposed to force, for this does not make men more moral or more intelligent; motives remain on the average the same, good and bad alike; men should be left to struggle for their existence, the stupid will go under, the wise will survive; this is the only rational progress. But the history of the world testifies against this view. Those who hold it must admit that a people, just as an individual, can not be trained morally without force. Otherwise why has the state the right to punish criminals? If it has this right, it has also the right to prevent crime. The sale of morphine is forbidden in all states. Here in fact the individual is protected by the power of the state against his own weakness. It is noteworthy that many physicians fall to the morphine habit, since they are the only ones who can obtain the poison easily; but they are the only ones whose well-being the restriction of the state does not consider. It is quite evident here that intelligence does not protect men, for no man sees clearer the injury of the morphine habit than the physician. Usury is forbidden by the state, but is this not a restriction of freedom? The moderate gambler, who is cautious, would like to have gambling places handy, for if men are so foolish as to lose their reason and go under, and bring suffering upon their family and friends, why, let them succumb. What is that to me? This is really the standpoint that many take in regard to the liquor question.

Ueber Trunksucht und deren schädliche Folgen für das Gehirn und das Nervensystem, von WILH. SOMMER, Dr. med. Königsberg, 1888. pp. 50.

Among all peoples, and at all times, men have had a tendency to hide their anxieties and troubles by means of some exciting and cheering stimulation. Many things have been used, but nothing has become so universal as alcohol. The inhabitant of the modern civilized state needs much more alcohol for his personal use than the citizen of the last ten, twenty, or forty years.

Alcohol is isolated by distillation and is diluted and mixed with aromatic matters for the purpose of making the drink taste well, and for health, but this last is never reached, and is only a cover.

Alcohol works upon the central nervous system in an invariable way; taken in moderate quantities, it gives rise first to a subjective well-being; a pleasant feeling of heat goes through the whole body; feelings of cold, weakness, fatigue, and anxiety vanish. These feelings decrease according as the alcohol is decomposed in the body and cast out, and give place to a very positive, uncomfortable feeling, which makes again all the more sensitive the general enervation, for the avoiding of which the alcohol was drunken.

The most obvious effect of alcohol on the motor nerves is the trembling; its intensity and strength are proportional to the duration and gravity of the drunkenness, the highest degrees occurring in the drinkers of whisky. The tremor alcoholicus generally commences in the fingers and hand, then follow the small muscles of the face, and the tongue. Spontaneous convulsions of single bundles of fibers in a muscle are frequent. To determine the characteristic tremor, the patient's arm is stretched forward and the fingers forcibly spread apart and in this position the tremor is always distinct in the case of the drinker.

The cause of the affections of the sensor nerves should be referred to the peripheral and not to the central disturbances; yet here, as in the motor nerves, secondary degenerations of the central organ may occasionally be connected with the primary lesions of the nerves. The most frequent disturbances are in the sense of feeling. There is hyperæsthesia, anæsthesia, and paræsthesia, in most varied combinations and degrees of intensity. Here belongs headache, then piercing pains, taking exactly the course of the large nerves, especially in the forearm and the lower part of the thigh; then diffuse pains, light boring or heavy pressure. There are characteristic tactile impressions from hyperæsthesia, thus the hair of the head may be so sensible as to be painful when touched. In paræsthesia the feeling is uncomfortable rather than painful, as the feeling of the rubbing or crawling of insects.

In anæsthesia the feeling of touch, temperature and pain can be almost destroyed.

Affections of the vasomotor nerves are frequent; there is a peculiar irregularity in the nutrition of the skin. The skin, especially in places not covered with clothes, as the face, which is thickened, bloated, blueish red, and interwoven with the "ektatistic" vessels, which are usually so expanded and surcharged that they are visible to the untrained eye; also slight bleeding can take place on the nose, cheeks, in the mucous membrane of the lips and nose, in the conjunctiva, etc.

The nervous affections in chronic alcoholism are due in general to a chronic neuritis, which can develop from initial hyperæmic conditions and a slow luxuriance of conjunctive tissue, and which in a later schriveling of the interstitial new formations reach degeneration and atrophy of the medullary sheaths, and finally also of the cylinder axes.

As a single alcoholic excess gives rise to striking phenomena in the brain, so it is easily explained that chronic alcoholism should injure the brain functions. But the anatomical foundation of these disturbances is not known in all cases; the pathology of the brain is yet a dark field. But, as far as our knowledge goes, the alteration of the blood and lymph circulation, under the influence of alcohol, comes to an injurious hyperæmia of the brain, and especially of its investing membranes, which perform for the most part the work for the nutrient vessels of the cortex. In consequence of the continual overfilling of the vessels and of their walls, through local irritation of the circulating alcohol, there is fatty degeneration of the "endotalia" and of the muscular cells to atheromatic process with wearing away and dilatation; then also inflammatory pachymeningitic stratifications and new formation of vessels, which in turn can cause bleeding and its consequent results; lastly come atrophy and hydrocephalus; with it are to be observed interstitial and sclerotic processes. In general, the same alterations can in like manner develop in other organs under the influence of alcohol.

L' Alcoolismo, sue conseguenze morali e sue cause. Dr. NAPOLEONE COLAJANNI. Catania, 1887. pp. 203.

Alcoholism is most ancient; it has infected barbarous and civilized peoples; it was not a politico-social question. In modern times there is the greatest uncertainty concerning this question. The most fallacious statistical method to resort to is that of averages. For the quantity of wine produced in a country is given without deducting the part exported; and the comparison should be between the production of one year and the crime and suicide of the year following, in which ten-twelfths is consumed, and not of the same year.

The official statistics of France and Italy indicate that alcoholism, as a direct motive of crime, is very limited. Comparing the first year of observation with the last, there is everywhere a perfect parallelism between the increase of alcoholism and that of crime and suicide; but the increase of crime is for the most part apparent, while that of suicide is real, continuous, and without numerous oscillations, which characterize the increase of alcoholism and crime. On this account alcoholism increases in the inferior classes; suicide in the cultured classes. A slight increase in consumption of alcohol often corresponds to a large increase in crime, and *vice versa.* The maximum or minimum of alcoholism does not correspond once with the maximum or minimum of crime and suicide. Alcoholic intoxication makes the sentiments of man neither worse nor better; but it lets them loose, it accents them, it reveals them in their naked truth. Well established cases of insane or criminal descendants through alcoholism do not authorize one to generalize this fact. There is wanting between alcoholism, crime, and suicide constancy, regularity, and universality of relation, of coincidence, and of succession; therefore the relation of cause and effect can not be established between them, according to the laws of statistics.

Among the more authoritative writers, the opinion prevails that alcoholic beverages which are concentrated or of bad quality injure the physical and moral health, but that the consumption of wine (the most innocent of alcoholic beverages), day by day and year by year, can not be shown to be a true and efficient cause of crime. The conditions that favor the increase of alcoholism are physical, economical, and psycho-social. Climate is the most important cause of all and is constant and independent of human action.

All physiologists recognize that alcohol increases the circulation, excites the intellectual faculties, and aids and stimulates the action of the digestive organs, and that it produces these beneficial effects in the shortest time, and with the least cost. An inquiry into the conditions that favor or determine alcoholism admits of but one conclusion: that in its morbid conditions it is a product of the social organization. When this organization is opportune and conformable to equity it is more beneficial than the influence of climate. The principal remedy for drunkenness is of an economical and social order. We must interest the laborer in organizing his work better; we must favor for each family the possession, first of movables, and then of a habitation; we must multiply indefinitely artistic distractions and encourage intellectual recreations.

On the whole this author represents the opinion of Europe as to alcoholism. It seems to us, however, that the question may be somewhat different in America. For one of the most apparent and real differences is the fastness of growth, which has become rooted in the American nature. Thus as a nation we walk, run, travel, eat, and drink faster than the Europeans. This drinking fast and often, without eating, and often when not thirsty, together with the unfortunate habit of treating, are conditions in our social organism which make so much more drunkenness visible.

Experiments as to the action of Alcohol on the Brain. J. J. RIDGE, Physician to the London Temperance Hospital. Quarterly Journal of Inebriety, January, 1880.

A narcotic can not become general in use without injuring the race. Any one of the narcotics habitually used so alters the nervous system as to cause uneasy sensations when abstained from. Alcohol is no exception to this rule. Insurance societies are proving what the influence of alcohol on the race is. As to the individual, it has been shown in a former paper that the sense of sight, common sensations, and the muscular sense are blunted by alcohol in doses from 2 to 4 drachms. Dr. Hughlings Jackson agrees that those powers of mind developed last are the least stable and the first to be paralyzed by alcohol. Dr. Kraepelin in a series of experiments has shown that alcohol prolongs the simple reaction time, and the time for discrimination and decision. While, then, the influence of alcohol upon the psychical processes makes them slower, the individual believes them to be much quicker. This illusion shows most rationally the necessity for abstinence. Alcohol, then, injures the capacity for self-control or temperance, which can not be as great or complete with alcohol as without it.

Étude Médico-Légale sur L'Alcoholism, par le Dr. VICTOR VÉTAULT. Paris, 1887. pp. 237.

The abuse of fermented drinks reaches far into history. But it is especially within thirty years that the tendency to excess has increased, acquiring such proportions that one has the right to consider it a real social peril. It pushes man to suicide, theft, and homicide—crimes which increase in direct proportion to the consumption of alcohol. It is the science of medicine which has shown the great influence that alcoholism has in the development of crime. Although the form of the poison varies with each country, its nature and effects are everywhere about the same. Formerly it was a simple tendency, which was satisfied occasionally, but now it is a habit—an imperial and irresistible need.

There is no fixed rule, no solid criterion, to determine the responsibility of alcoholics. Thus, a man arrested for a crime is a drinker by habit. Two or three days after his arrest he is suddenly taken with an acute or subacute attack of alcoholism. The judge sees only the manifestations of delirium; he thinks it is a case of insanity; he calls an expert and raises the question of responsibility. Here there is no doubt that the imprisonment, the emotions it causes, the consequent physical and moral depression have put the prisoner in a condition analogous to that of a drinker attacked with a traumatism or an acute febrile malady. The attack of *delirium tremens* is an accident; the responsibility of the prisoner prior to the attack is complete. The manager of a commercial house is charged with making fraudulent accounts. The judge receives a certificate, delivered in good faith by the physician, giving the exact dates of three attacks of delirium within the period of two years; he concludes that mental trouble is the cause, and that the accused is irresponsible. But the errors in the accounts are not contemporary with the alcoholic attacks; but the man is in full possession of himself at other times, and his responsibility rests also; and so it is with the criminal who, lacking determination, seeks alcoholic excitation to carry out his crime. At the moment of execution his volition is feeble. There is no pity for one who resorts to such a method.

A laborer commences his day in a saloon, drinks much, goes to his work, but he can not work, his thirst burns, so he returns to the saloon, passes the day and evening; becomes quarrelsome, is aggressive; the saloon keeper puts him out; the drunkard goes away; he stumbles and falls in the street. In his fall a knife drops out of his pocket; he picks it up and, without premeditation, by accident, he retraces his steps, stops in front of the saloon where he was put out; the doors are closed; he knocks, he calls, no one responds; then, with the tenacity of a drunkard, he is obstinate and struggles against the obstacle; redoubles his efforts; the saloon-keeper comes down and opens the door and invites him to go away.

He advances, there is a slight struggle, a cry, and the saloon keeper falls, stabbed in the heart. This drunkard is responsible. Another has spent his own and his wife's money; she has been compelled to leave him on account of his bad habits, seeking refuge with her mother. But she works and gives her husband a little money every day, but he does not find it enough; he quarrels, he threatens. His wife obtains permission of him to leave two objects at the pawnbrokers in order to pay the rent. He reflects, goes to the pawnbrokers to see if the objects are there; unfortunately his wife had not had time to bring them there. He sees in this a subterfuge and will avenge himself. He cooly sharpens the blade of his knife, waits for the return of his wife, talking with his neighbors in the meantime. She arrives; he orders her to come and live with him; she refuses, and he kills her with the knife. This man had fifteen years previously a convulsive epileptic attack. He was then 19 years of age; at this time he drank enormously. A curious pathological fact was that his other attacks, separated by long intervals, returned when he was in the midst of his drunkenness. For a year before his crime he had not had an attack. His impulsion was not irresistible; he is responsible. In brief, responsibility is zero whenever the crime belongs to the period of acute or subacute delirium of the alcoholic attack. It is zero, also, when the subject is a chronic alcoholic, in whom definite cerebral lesions have affected the integrity of the brain. Responsibility is lessened in individuals of feeble intelligence, in whom tolerance for alcoholic drinks has diminished on account of the conditions of the inferiority of their cerebral organization. It does not disappear entirely where the individuals know that they can not drink without danger. The responsibility is lessened when it can be shown that the individual was involuntarily surprised by drunkenness. Responsibility exists fully in simple drunkenness, where the delinquent had the power of avoiding this condition, and where it is resorted to for the purpose of committing crime.

L'Alcoolisme, par le Dr. E. MONIN, précédé d'une préface par le Dr. Dujardin-Beaumetz. Paris, 1889. pp. 308.

The "French Temperance Society," founded to combat the abuse of alcoholic drinks, has singled out this work as of special merit.

It is said that in proportion as civilization perfects itself man seeks in drunkenness a compensation and a forgetfulness of his weariness and chagrin which result from his daily struggle for existence. A man who is given to excess in drink can not be a prudent father, a good citizen, or brave soldier.

The main reason for popularizing the question of alcoholism is to show men in general the best manner of avoiding it. The method is that of the ancient Greeks, who exhibited to their children the drunken Helots, in order to disgust them. It is to picture the alcoholic plague just as it is, insisting especially on the less known sides of this medico-social question. (1) Acute alcoholism is drunkenness. Under this head is included delirium tremens, because on the whole it is an acute manifestation of alcoholic poisoning. (2) Chronic alcoholism consists in a progressive inhibition, in a slow storing of the poison in the tissues. Dipsomania is a form of mental alienation, a partial delirium, where the patient is at the mercy of paroxismal attacks which push with irresistible force to the abuse of alcohol; the patient is alternately a subject of depression and excitation; his insanity takes the form called "circulaire." The drunkard drinks when he finds occasion. The alcoholic is insane because he drinks. The dipsomaniac drinks because he is insane. The drunkard likes to drink, while the dipsomaniac drinks in spite of himself. The alcoholic is vicious and degraded; the dipsomaniac is insane and diseased.

Drunkenness has always been considered a plague. As to remedies, total abstinence goes to the extreme of denying the utility of alcohol in medicine. The establishment of coffee and tea houses, and places for chocolate and lemonade, render real service to the cause of temperance. Alcoholism is little known in the torrid zone on account of the large consumption of coffee. Some have gone so far as to advocate destroying the vineyards, but this would only increase the consumption of artificial wine and whisky. Alcohol is no doubt too largely prescribed for the convalescent, the chloro-anæmic and for nervous women, whose taste is perverted.

Governments should tend to favor the fermented drinks as compared with the distilled. The example of Sweden and Holland in establishing high license should be followed. Beer should be encouraged to lessen the consumption of whisky. There should be restaurants for workmen where they do not find whisky, but meat, good beer, milk, coffee and tea. While the laborer through lack of foresight and feebleness of will and self-love follows his comrades to the gin-shop, yet it should be remembered that whisky becomes a cheap agent for him who must work hard, with insufficient food. The taxes on consumption, which weigh heavily on workmen, should be lowered. Meat, wine, beer, and all the necessary commodities, should be rendered cheap. Then this passion for alcohol will find an end. The origin of this passion, according to physiology, is found often in a more or less conscious need of the organism, to which the most moral ideas of duty and abnegation give pain, but without effect. A large place should be given to popular instruction, the multiplication of savings banks, associations for mutual aid which excite dignity and self-respect, to temperance societies, economic and philanthropic restaurants, and workmen's circles. These are all barriers; for the majority of such associations increase the consumption of agreeable and healthy drinks, which are the antagonists and antidotes of drunkenness. The schools can be made one of the best means for propagating antialcoholism, not only through reading lessons, etc., but by excursions into the prisons and almshouses. Example makes the strongest impression upon the brain of the child. For the adults popular conferences and brochures should be multiplied. The laborer drinks to forget the existence of his pariah. Render him happy, increase his wages, diminish his hours of labor, in this way lessen the miseries of life, and alcoholism will lessen. Some labor requires a great deal of force and exposure to heat or cold; this favors alcoholism; here exciting but inoffensive drinks should replace distilled or fermented drinks of bad quality. Those given to intellectual life should resist this stimulus; for their feeble muscular exercise, and the small activity of chest and skin, utilize very insufficiently the ingested poison.

Legislation has little power to suppress alcoholism, except when it is used against falsification of liquors. The laws against alcohol are of little practical value, for, the people rightly say, that they are directed against them, while the rich, filled with their fine wines, wish to take away from the poor, alcohol, their unique drink. A pressing need is to unvail the numerous frauds in wine, to avoid the mixing of fermented and distilled drinks. Liquors should be prepared by infusion, or maceration, or distillation, and not by solution of doubtful essences in more or ess poisonous alcohols. Alcoholism is special to countries where the alcohols of industry are drank, and it varies inversely as the consumption of wine.

L'Alcool, Physiologie, Pathologie, Médecine Légale, par le Dr. J. A. Peeters. Paris, Bruxelles 1885. pp. 415.

This book was written in response to the following question, given by the Royal Academy of Medicine of Belgium, to determine, by precise observations, the physical and psychical effects of alcoholism on the individual and his descendents.

The author examines the physiological action of alcohol, which gives the logical explanation of its pathological action; he considers physical alcoholism in the healthy, the sick, and the wounded, then psychical alcoholism in the healthy, in those predisposed, and in the insane; then hereditary alcoholism, and its effects on individuals, peoples, and races.

The absorption of alcohol appears to commence in the bucal cavity, but the mucous of the stomach is the main seat. Where large quantities have been introduced, part goes into the intestines. It is by the veins that the larger quantity of alcohol penetrates into the circulation; it is proved that the chyliferous vessels receive a part of it. In local applications alcohol favors the vegetative processes in wounds in the depths of the tissues; its action is manifested by a hyporgenesis of the conjunctive tissue. Its action is less marked on the mucous vessels.

Alcohol in passing into the digestive tube produces a warm pricking sensation, which propagates itself from the mouth to the pharynx and stomach. Concentrated or large quantities of alcohol acts as an irritant in the stomach; this action is much more energetic if the stomach is empty; in this case diluted alcohol is injurious because it acts directly on the mucous vessels, exciting a viscus, when stimulation has no use, but if there is food in the stomach, a moderate dose is still more diluted and mingles with the ingesta and secretions; here it is not an irritant, but a stimulant of the digestive functions. It is absorbed especially in the stomach, in the duodenum and in the beginning of the intestine, if the quantity taken is large enough. It penetrates the blood either directly by the veins or by the chyliferous vessels.

Alcohol causes an acceleration of the heart beats followed by a corresponding decrease, in such a manner that when the doses have been increased a little and not repeated, the average pulse within the twenty-four hours rests without change. Large doses diminish the frequence and energy of the heart beats. The simple physiological influence of alcohol resembles that of the influence of age. The functions at first excited are enfeebled by an inevitable reaction; muscular forces are diminished, urine and carbonic acid are excreted in less quantity and the temperature of the body is lowered. Alcohol does not remain long in the organism. The kidneys are a constant source of elimination of alcohol; the quantity eliminated from the lungs is very little; the skin is an important source of elimination, producing a dilatation of the periphical vessels, so that a larger quantity of blood is carried to the surface and the insensible transpiration is increased. From the physiological dose to the pathological is only a step, and special circumstances can render the former dangerous. Temperance is a lure; total abstinence is necessary; these are conclusions to which we are almost tempted to come.

On the pathological side, alcohol produces functional troubles, such as congestion, quantitative and qualitative alterations of the secretions, nervous disorders, exaggerated development of conjunctive tissue, sclerosis, accumulation of fat between the constituent elements of the organs and a fatty degeneration.

Sveriges Officiela Statistik. Brännvins Tillverkning och Försäljning samt Hvitbetssockertillverkningen, IX., 1886–1887 och 1887–1888. Stockholm, 1889. pp. 40.

This is an official statement of the manufacture and sale of whisky in Sweden; it is almost wholly statistical in character, and is interesting in giving a large number of minute details. In 1888 the tax for the manufacture of whisky was raised from 40 öre (about 11 cents) a litre to 50 öre. Where the manufacture was less than 500 liters or more than 5,000 per day there is a special extra tax of 10 öre. The report has special reference to the following two years, in which the total manufacture was, from October 1, 1886, to October 1, 1887, 37,394,093 liters, at 50 per cent, and from October 1, 1887, to October 1, 1888, 32,900,078 liters at 50 per cent.

The crude matters employed were as follows: 1886–87, 18,339,906 kilos of cereals and 1,504,348 hectoliters of potatoes.

Les Degustateurs en Gironde et L'Alcoolism Professionel, par le Dr. P. HENRI MOULINIÈ. Bordeaux, 1887. pp. 46.

The tasters, by profession, of wine and whisky are not exposed to the disorders of alcoholism, nor to cerebral alcoholism, in spite of their life and frequent excesses at table. The pathology of tasters can be summed up in this, that they are specially subject to diabetes, gout, and apoplexy; this is due as much to their mode of existence as to their profession.

De L'Alcoolism dans La Seine-Inférieure, par A. LOUIS A. TOURDOT. Paris, 1886. pp. 126.

The purpose of the author is to seek for the causes of drunkenness and the nature and quantity of the liquor consumed in the region of the Lower Seine; to study the classes of individuals and the remedy for the evil. The following are some of the conclusions:

(1) The habits of the country are very defective hygienically, where whisky is taken early in the morning; coffee serves here as a vehicle to whisky. Through the ignorance of parents children are given fermented drinks from birth, and the quantity increases with age. This augments their mortality and forms habits which later predispose to drunkenness.

(2) The laborers of both sexes in the country, and especially in the villages, do not have sufficient food, because a large part of their wages which buy food is used to buy whisky.

(3) Alcoholism in a certain class of individuals, as machinists, firemen, employés of the railroad, presents dangers very serious for society.

(4) The frequency of holidays, meetings, etc., is an occasion for alcoholic excess. In the majority of the saloons the liquors are of bad quality and produce a dangerous and brutal drunkenness, which leads rapidly to chronic alcoholism.

(5) The sale of tobacco, vegetables, or objects of indispensable consumption at the saloons is a serious cause of alcoholic excess among the women.

(6) The saloons are too numerous in proportion to the population.

(7) In almost half of the cases of insanity among men alcohol is an efficient cause.

(8) Legislatures should only tolerate the usage of wine or, in case of failure, alcohols well rectified; they should favor the usage of naturally fermented drinks, as wine, cider, beer, and execute rigorously the laws against drunkenness, oppose the opening of new saloons, and spread practical knowledge as between usage and abuse of drink, and especially as to its extreme injury to children.

Les Boissons Alcooliques et leurs Effets Sociaux en Belgique, par EM. CAUDERLIER. Bruxelles, 1883. pp. 60.

This is a report based upon official statistics of Belgium. The facts given tend to show that public education is somewhat inefficacious in a country where the sale of intoxicating liquors is without control and limitation; that suicide, insanity, criminality, and pauperism increase or decrease as the consumption of alcohol.

As to legislation, the repressive mode is essentially inefficacious. As it is a quite common opinion that alcohol sustains, fortifies, protects against cold, against epidemics, aids digestion, etc., it will perhaps be useful to produce some declarations of physicians and hygienists, chiefs of the army, polar navigators, etc.

A number of professors (13) of the faculties of medicine at Leyden, Amsterdam, Groningen, and Utrecht agreed to the following declarations: (1) That even the moderate use of spirituous liquors is injurious; alcohol does not favor digestion; it can provoke the feeling of hunger momentarily, but not augment the digestive forces. (2) They are not stimulants necessary to cold or heat, nor are they without danger. Experience shows that they do not aid those who are exposed to damp air, or who work in water or marshes, or those whose food is insufficient. Habitual use of alcoholic drinks has precisely the contrary effect which public opinion attributes to them. (3) In all diseases, especially in those where the evolution is rapid (fevers, cholera), those who habitually use liquors offer less chances of resistance. (4) Alcoholic drinks are not only unworthy of being popular, but they are destructive agents of prosperity and of the moral and natural development of the masses. Other assertions of physicians are: Alcohol is no more a food than chloroform, ether, or morphine. As a result of twenty years of observations in the hospital and in practice, it has been found that the use of alcohol, even in moderate quantities, has an injurious influence in the most painful and serious affections; it is the greatest agent of physical and moral disorders; it diminishes cerebral power much more than is supposed (Sir Henry Thompson). It is remarkable that all the evils coming from alcoholism can pass from father to son, even to the third generation, and they become worse if the use of alcohol is continued, until they result in sterility (Darwin).

Contributions à l'Étude de la Descendance des Alcooliques, par le Dr. L. GRENIER. Paris, 1887. pp. 96.

Alcohol has come to be a social question. It is one of the most active agents in the degeneracy of races. The indelible effects produced by heredity are not to be remedied. Alcoholic descendants are often inferior beings, a notable proportion coming under the categories of idiots, imbeciles, and debilitated. The morbid influence of parents is maximum when conception has taken place at the time of drunkenness of one or of both parties. Those with hereditary alcoholism show a tendency to excess; half of them become alcoholics. A large number of cases of neurosis have their principal cause in alcoholic antecedents. The larger part of the sons of alcoholics have convulsions in early infancy. Epilepsy is almost characteristic of the alcoholism of parents, when it is not a reproduction in them, or when it is not an index of a nervous disposition of the whole family. The alcoholic delirium is more frequent in the descendants of alcoholics than in their parents, which indicates their intellectual degeneration.

The crude matters employed in the manufacture were, in 1887–'88, 9,484,573 kilos of cereals and 1,628,991 hectoliters of potatoes.

The law in force for the sale of whisky dates from May 29, 1885. Licenses for the retail sale of whisky under 250 liters are either permanent and accorded for a definite time, or temporary—for less than a year. The cost of each retail license depends upon the presumable quantity that can be sold by the establishment. There was one license to every 884 inhabitants in the cities and villages, and one to every 18,297 in the country. The manufacture of whisky from beet-root sugar has not been a success except in one manufactory, where lately great progress has been made, so that new ones have started into activity.

Constitutional Prohibition the Best Remedy for the Drink Evil of Modern Times, by Rev. G. H. PRENTICE. Gilbertsville, N. Y., 1889. pp. 48.

The author desires to show by the opinions of leading representatives of the professional and public life of Kansas (the first State to adopt and try this new policy), that constitutional prohibition is the best remedy. Letters of inquiry were addressed to prominent men, and sixty-eight replies were received. These letters began substantially as follows: Very diverse and conflicting reports reach us concerning the operation of prohibition in your State. To resolve, in a measure at least, the doubt hanging over this question in the East, we propose a symposium, etc. These letters contained the following questions: (1) Has the prohibition policy of your State broken up the organized traffic in intoxicants used as a beverage? This being the case, (2) to what extent has it diminished their consumption? (3) What use is now made of the money formerly spent for drink? (4) Has this policy proved a financial benefit? (5) Has it improved the public morals? (6) Is it more difficult to enforce a prohibitory than a license law or criminal laws in general? (7) Do you know of persons opposed to prohibition November 2, 1880, who now favor it? (8) If resubmitted would the original majority of 7,998 be increased or diminished? The author had no previous knowledge of the views of the persons addressed except in six instances. The State of Kansas is larger than New England entire by more than the size of New Jersey, and contains upwards of a million and a half of people. As a result of the answers received there seems to be no reason why prohibition could not be as successfully enforced elsewhere, with this possible exception, that Kansas has fewer large towns than many other States, although having at present 34 towns with populations over 2,000, 6 ranging from 15,000 to 40,000, and one, Topeka, with a population of 50,000.

To question No. 1 there were sixty-two replies in the affirmative and none in the negative. There were sixty-two replies to question 2, and with a single exception all agree to a very great decrease—more than three-fourths on an average. In general the answers to all the questions were, with very few exceptions, favorable to constitutional prohibition.

De la dipsomanie et son traitement par la suggestion, par le Dr. EDG. BÉRILLON. Revue de l'hypnotisme, août, 1890.

The treatment and cure (temporary at least) of one who has been a hard drinker for fifteen years is a case in hypnotic therapeutics worthy of consideration. We extract points from the writer's lecture. Patient 35 years old, robust, muscular, intelligent, successful in business; parents sober and healthy. He learned to drink in the army, drinking wine and whisky, sometimes in considerable quantity, but without drunkenness. On leaving the army he exchanged whisky for absinthe; his business, which involved traveling, encouraged his drinking, but he had little inclination to drink when at home. At last signs of physical trouble appeared, together with nightmare, hallucination, delusion of persecution, and idea of suicide. These returned every month or two with irresistible craving for drink, which scattered his good resolutions. He was also an inveterate smoker. On May 3, 1888, he was hypnotized, and dreamless sleep and total abstinence from liquors and tobacco were suggested. The suggestion was successful. He was under treatment from May 3 to May 15, the hypnotization and suggestion being repeated daily at first. By degrees physical troubles were helped and his desire to drink and smoke removed. He found himself able to resist under circumstances in which before he would have inevitably yielded. On May 15 he was pronounced cured and discharged. After thirteen days of treatment without isolation, continuing to walk the streets of Paris, he saw all his physical and mental troubles successively disappear, and his inveterate habit of drinking and smoking cease.

Hérédité et alcoolisme. DR. LEGRAIN. Revue de l'hypnotisme, 1er Mars, 1890.

There are three main characteristics in alcoholism: The mental state, the impulsions, and the tendency to delirium at the slightest cause. The degenerate are more susceptible than those who are of well-balanced mind. Alcoholic delirium differs in its symptoms from that of drinkers with no defects. In hereditary cases drunkenness comes in a short time; once started, it assumes forms which recall its nature and predisposition. Alcoholic delirium of the predisposed does not resemble that of the stereotyped delirium. The rigors of intoxication and the rigors of hereditary predisposition have a certain independence. The slowness of evolution, frequence of relapsing, feebleness of mental faculties and polymorphism of delirium characterize the alcoholism of the degenerate. Inveterate abuse of drinking in nonhereditarily disposed persons creates a degeneracy like the hereditary. Organic physical resistance diminishes as excess increases. Alcohol causes its special delirium; little by little it simply plays the rôle of an *appoint.* In a large number of cases the man is not free not to drink.

La responsabilité des alcooliques. M. MOTET. Revue de l'hypnotisme, 1er août, 1889.

There is no fixed jurisprudence in France as to responsibility in alcoholism. In civil matters alone, when drunkenness of the contracting party has been established at the time of the contract, the contract is annulled. Drunkenness has in these conditions been made like to a state of dementia. One class comprehends simple drunkenness, accidental or provoked, and in some cases premeditated. To this class belong drinkers by habit, who, without showing the troubles characteristic of drunkenness, are always under the influence of alcohol. A second class concerns all forms of pathological drunkenness, partially acute or acute mental troubles, or chronic troubles due to intoxication. In this class are the insane, imbecile, epileptic, whom alcoholic excess can lead to the most dangerous acts, by awakening impulsive tendencies which otherwise would not be awakened. Drunkenness is punishable as well as crime committed under its influence when the delinquent has the power to avoid it, when the alcoholic excitation has been sought in order to give one enough determination to commit a crime. Drunkenness is punishable in an attenuated degree in cases of feeble intelligence, in which intolerance for liquor is shown by an inferior cerebral organization; they are not excusable when they know they can not drink without danger; such cases are more numerous than is generally supposed. Crimes can not be punished if committed during an acute or subacute period of delirium in an alcoholic paroxysm. It is also the same in chronic alcoholism. When cerebral lesions have affected the integrity of the organ, the individual should be put under treatment.

The Public and the Doctor in Relation to the Dipsomaniac, by Dr. DANIEL CLARK. Toronto, 1888. pp. 20.

The writer brings out clearly the sociological side of alcoholism, showing how the state is responsible for many of its drunkards. He mentions a practical and suggestive prophylaxis. There are four classes of drunkards: (1) Those who drink from a habit of tippling; (2) those who drink to relieve nervous prostration, or to drown sorrow or wrong; (3) those who drink from hereditary tendency; (4) traumatic drunkards. The tipplers are usually of three kinds: (*a*) The weak-willed; (*b*) the genial; (*c*) the mean-souled man who delights to "sponge" on others. Those who become drunkards by nightly potations to relieve mental trouble are more numerous than supposed. This drunkenness has no excited stage, and the habit may go on without being noticed for years. The nocturnal drunkard will take a small dose in the morning to throw off the stupidity of the nightly debauch and to appear as usual before the public. But this has its limits, and paralysis, apoplexy, or insanity may result. This class usually belongs to our active members of society. Such nightly stupefactions are more fatal to mental integrity than any other form of drinking. In heredity it is the nervous bias which is transmitted, which can be aroused suddenly or may lie latent for years. The paroxysms come intermittently like the periodic insanities. The hereditary foe may be overcome by daily battles, but not by isolated ones. Persons of this class have an unusually nervous condition, irregular circulation, low nutrition, morbid fears, irritable temper, lack of resolution (foreign to the individual in health); even misconceptions and delusions may supervene when the attack is coming on. During these bouts of drinking mania the man is uncontrollable. We may eliminate from the large number of defectives in society those who could reform if they would only try, but yet a large number remain on whom no influence, social or religious, has any effect. There is no help for those but enforced restraint in special asylums, where they can have work, air, amusement, and homelike treatment. These should be as unprisonlike as possible, and the state should provide them. The author apparently is not averse to prohibition, and, should that fail, he would have the revenue from licenses devoted to the care of the inebriates.

MORPHINISM.

La Morphinomanel, par BENJAMIN BALL. Paris, 1889. pp. 248.

There are two divisions of poisons: those imposed upon man by the needs of industry, such as lead, mercury, sulphur of carbon, and those sought voluntarily by man on account of the pleasures they give, such as alcohol, opium, and hashisch. The abuse of morphine, which within a few years has greatly increased, is generally limited to the upper classes. Thus it is rarely seen in the hospitals. Opium has always been employed to procure an agreeable drunkenness. Morphomania most always arises from the employment of it in injections to counteract pain, uneasiness, chagrin, or any neuropathic condition.

Morphomania is a vicious habit, bearing the relation to opium that dipsomania does to alcohol. Morphomania exists when the individual experiences an irresistible need of taking morphine. But dipsomania is an intermittent neurosis; the need to drink does not exist continually, and the disease is almost absolutely incurable, like the majority of neuroses where the crises return by attacks. Morphomania is, on the contrary, a constant neurosis; the patient always has the need of his stimulant, and for this reason alone it is a curable disease. It is thus that drunkards by profession can be cured, but dipsomaniacs never.

Patients become addicted to morphine (1) by seeking momentary relief from suffering by a means which becomes worse than the suffering; (2) through voluptuousness, that is, to experience a state of pleasure; (3) by calming their moral pains, or by trying to find force for their daily work. The morphomaniacs prefer the hypodermic method, first because the taste of morphine is disagreeable. Opium eaters have by long habit overcome this, but the majority of the Orientals prefer to smoke it, all the more because in this form the effects of the poison are less immediately injurious. Opium taken by the mouth acts directly on the stomach, and much more energetically than when administered by injections; by the stomach there is a loss of appetite, a feeling of heaviness in the epigastric region, nausea, and even vomiting. Ingested morphine takes much longer time to produce its action. By injection it acts immediately. Another reason why the patient prefers this method is that he takes an eager pleasure in making the punctures; thus many patients prefer to take the dose in small portions. It is a fact of practical importance that dilute injections are less painful than concentrated.

The first effects of the absorption of the poison are in general agreeable; this state can last for weeks, months, or even years, but the evil is done, the patient can not dispense with his poison. According to certain authors, the subjects predisposed to morphomania experience at the outset the need of renewing without cessation their punctures, a sign by which the predestined are recognized. The normal state of a morphomaniac is characterized by a paralysis of the will, a torpor of the ego, which is often the case with the insane, especially with those attacked with chronic alcoholism. The morphomaniac has not enough energy to leave off his habits. His memory and judgment do not appear to be seriously affected, but there is a remarkable attenuation of the moral sense, so that indelicate acts are committed, especially by omission. The Chinese join to their passion for opium that of gambling; after their money is gone they will play for their clothes, wives, children, and their own fingers. Another form of their perversion is that of untruthfulness, especially as to their opium habit; if they do not claim to have abandoned their habit they will deceive as to the doses. What they say can not be trusted at all.

The morphine delirium presents itself especially under the form of melancholia with hallucinations of sight, which is the case of toxical agents of every sort. Often there are disagreeable odors, which must have a more permanent cause than hallucinations. The hallucinations are like to those of alcoholism; in many there is a moral fear outside of the illusion that some terrible evil is going to happen to them. Some on the other hand have acute mania. Thus in the extreme Orient some in a paroxysm of fury for having lost money at gambling rush into the street to kill the first person they meet. Vertigo is very frequent, then follows insomnia. The sense of touch is habitually perverted; with other cases there is an anæsthesia. General nutrition suffers; the troubles which result cause the patient to grow old rapidly; the falling of the hair coincides with the destruction of the teeth.

Poisoning with lead produces no pleasure and its suppression no inconvenience. It belongs to that class of poisons which are simply injurious. But with poisons which are sought for the purpose of pleasure, suppression or abstinence is quite different, for with many patients they become indispensable to existence. This is not only the case with morphine and alcohol but with coffee, tea, tobacco, and hashisch.

The treatment is a radical and brisk suppression of the poison. The face of the patient in a state of abstinence becomes animated, red; the phenomena of excitation and congestion predominate; the patient becomes irritable, quarrelsome, sees evil in everything; there is a vague uneasiness. If the abstinence is continued the intellectual faculties soften; all serious work becomes impossible. Hyperæsthesia is common and very pronounced in young patients. Respiration is greatly affected; there is an irregularity in the rythm; circulation is enfeebled; there is palpitation; there is sometimes syncope and collapse. If the dose is diminished daily the same phenomena occur, but with less intensity. Some morphomaniacs use coffee also; a larger number chloroform, chloral, cocaine, and especially alcoholic drinks. The nervous system of these latter is most deeply vitiated.

The immediate suppression of morphine has the great advantage of causing the patient to suffer less. Once the crisis is passed the patient does not feel the mania for morphine, for a new injection. But this method is not practicable except in an asylum. On the other hand this method exposes the patient to grave dangers, as delirium tremens, acute mania, and collapse. The gradual suppression is easier to practice outside of an asylum.

Le Morphinisme, par Dr. G. Pichon. Paris, 1889. pp. 4891

The author takes up briefly the ordinary symptoms of morphinism, but states at length those that are not so well known.

For the last few years the sudden extension of the passion for morphine has become quite apparent. Morphine inebriety is at present penetrating into all classes. Out of 55 morphomaniacs of all degrees there were 37 due to therapeutics, and out of these 37 there were 34 due to medicine.

Out of 82 cases of men and 28 women studied by Levinstein comes the following table:

Men.	Number.	Women.	Number.
Physicians	32	Women physicians	8
Son of a physician	1	Nuns	2
Hospital attendants	2	Midwife	1
Student of medicine	1	Wife of a druggist	1
Apothecaries	6	Wife of an army officer	1
Army officers	18	Wives of merchants	5
Merchants	11	Income-holders	4
Income-holders	3	Professors	2
Professor	1	Employees	4
Magistrates	4		
Landlords	3		

Besides the therapeutical cause of morphinism there is a large number of persons led to it by passion. There are the real morphin inebriates; they are attracted by natural temperament; they are the large class of the unknown voluptuous, those without equilibrium, the abnormal, the eccentric, the degenerate; hence the cause is purely passionate, as among the Chinese and Turks. There is a third class, who inject themselves at irregular times, who use morphine as a stimulant; if it is wanting, they take alcohol, coffee, etc. In acute intoxication, morphine produces ocular troubles, consisting in "scotôines," diminution of the visual field, and even complete amaurosis; but these are essentially temporary. In chronic intoxication, where morphinism has existed for a long time, these ocular troubles can become permanent. The principal ones are dicoloration of the pupillæ, which can go as far as progressive atrophy. When these affections are not from ocular lesions, they cease with the suppression of morphine.

There is between morphinism inebriety and alcoholism this essential difference, that the privation of morphine provokes a special state of need which is not found in alcoholism. In alcoholism there are terrible hallucinations of sight, of persecution, nocturnal crises, and various dyspeptic troubles. Morphinism rarely produces these psycho-sensorial troubles, except in the state of absence from morphine; the dyspeptic troubles are rather of a neuralgic nature, and do not cause lesions. The long intoxication by morphine causes rapid emaciation, yellow coloration of the face, and arrest of menstruation in woman. The two states of alcoholism and morphinism can coexist or alternate in the same individual.

Intoxication by ether is accompanied with less grave symptoms than morphinism. The frequent use of ether develops a passion which pushes to its daily abuse, yet this passion to search for the stimulant is not irresistible, as in morphinism.

In the state of privation the ether maniac does not have the anguish and anxiety so charateristic in the morphomaniac, nor does one find the grave affections which can succeed the suppression of morphine, as vomiting, diarrhœa, hyperthermia, chill, and mortuous collapses and death. Ether mania can never be an excuse for a crime, and this is also true in most all cases of morphomania.

Daily injection of chloral, when continued for some time, develops a passion for chloral, which is accompanied with a partially irresistible tendency to take it. There is in chloral a real state of need provoked by abstinence, but this state is not accompanied with as grave results as in the case of morphine. The physical symptoms of chloralism, (still obscure) appear to consist especially in gastrointestinal troubles; the mental symptoms consist in feebleness of mind. The mode of treatment consists in the progressive suppression of the poison. The morphino-cocainmaniacs have a sort of new hybrid affection, consisting in hallucinations of all the senses and various delirious conceptions. The coexistence of other elements with morphinism can lessen responsibility and sometimes can cause complete irresponsibility. In cases of morphinism alone a long intoxication can only lessen responsibility; this is based upon the fact that morphinism is not a psychosis.

CHAPTER V.

INSANITY AND GENIUS.

Human beings may be classified, in a general way, into normal and abnormal. By "abnormal" is meant departure from the normal. While the term "abnormal" often suggests ethical or æsthetical characteristics, it is here employed with no such reference. Thus a great reformer and a great criminal are both abnormal in the sense of diverging much from the average or normal man. The principal and extreme forms of human abnormality are insanity, genius, and crime.[1] The third form, "crime," includes all excessive degrees of wrong.

Assuming the natural history point of view, man should be studied as we study all species below him. In an investigation, therefore, of insanity and genius we must, as far as possible, eliminate all those ethical and æsthetical ideas (however important) that we have been accustomed to associate with these terms. For an empirical study is concerned with facts rather than with sentiments, emotions, or ideals connected with such facts.

INSANITY.

Krafft-Ebing[2] defines insanity, from the anatomical point of view, as a diffuse disease of the brain, accompanied with nutritive, inflammatory, and degenerative changes. The division between mental and brain diseases is purely a practical one and not strictly scientific. Mental diseases are a special class of cerebral diseases, and from a clinical standpoint are distinguished by psycho-functional disturbances. Insanity is not only a disease of the brain but also a diseased alteration of the personality. One difficulty in distinguishing between sanity and insanity is due to the fact that the manifestations of one can correspond exactly to those of the other. The first symptoms are not generally intellectual, but emotional; there is abnormal irritability. The fluctuating line between sanity and insanity, as frequently seen in public and private life, can, says Krafft-Ebing, oscillate between the extremes of genius and mental disease. Such men show peculiarities in thought, feeling, and action; they are called strange or foolish because the great majority of men feel or act otherwise. So their combinations of ideas are uncommon, new, striking, and often interesting; yet they are not capable of making use of these new thoughts. Such individuals are not yet insane, but still they are not quite right; they form the passage over to insanity; they are on the threshold. They are so eccentric as to be said to have a strain of madness in them. Maudsley [1] calls this an "insane temperament;" it is characterized by a defective or unstable condition of moral element, a tendency to sudden caprices, to act independently of the social organism, a personal gratification that seems to others a sign of great vanity. But they are so engrossed in their own impulses as not to be conscious of how it affects others. In Maudsley's opinion this predisposition to insanity lies close to genius in some cases. Some persons having this insane temperament may be called mattoids, to use Lombroso's expression; they are strikingly peculiar, eccentric, and original, but generally in useless ways; they show disproportionate development; they are closely allied by heredity to mental disease and may gradually develop into this state; thus one member of a family may show genius and another be insane or epileptic. This may indicate an extreme sensibility in the family which under different conditions of life and body has taken different forms. This extreme nervous sensibility may endow a person with genius, but not the highest genius, for it lacks the power of the critical sense and the vast intelligence of the genius which permits him to correct his wild imagination. The insane temperament shows originality, but lacks the critical spirit; the ordinary normal mind has some critical spirit, but lacks originality; the genius possesses both originality and critical power.

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[1] The author treats of deeper forms of abnormality and crime in "Criminology," New York, 1893, and considers degenerative sexuality in another work entitled, "Formes Graves de la Criminalité," Paris et Lyon, 1893.

[2] Psychiatrie, 1890.

Clouston says that there are a number of examples of insane temperaments ranging from inspired idiots to inspired geniuses; that De Quincey, Cowper, Turner, Shelley, Tasso, Lamb, and Goldsmith may be reckoned as having had in some degree the insane temperament. Some are original, but in the highest degree impracticable and unwise in the conventional sense of the term. Another form of this temperament is sometimes illustrated in spiritualism, thought-reading, clairvoyancy and hypnotism. The pseudo genius or mattoid is then one who has the insane temperament with originality and particular talents in certain lines, and often displays a mixture of insanity and genius. In the words of Maudsley, he desires to set the world "violently right;" under mental strain he is impulsive and may be attacked with derangement. A weaker and much less important class of mattoids are the egotistic variety, with no capacity to look at self from an outside standpoint. This self-feeling may widen into the family, but develops no further. This class consider their oddities higher than the virtues of others. Another phase is illustrated by those who have little sympathy for their own kind; they often have extreme affection for some dog or cat, and suppose that they are exceedingly humanitarian because they love animals more than human beings.

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[1] Pathology of Mind.

Hammond[1] says that "the discrimination of the very highest flights of genius from insanity is a difficult and at times an impossible undertaking, for they may exist in one and the same person." Hammond also is of opinion that more people of great genius exhibit manifestations of insanity than do persons of ordinary mental faculties. He mentions as showing symptoms of insanity or at the close of life passing into fatuity, Tasso, Burns, Swift, Mozart, Hayden, Walter Scott, Blake, and Poe. Schüle[2] defines insanity as a disease of the person, resting upon and caused by a brain affection. Here it is to be understood, psychologically speaking, that a pathological symptom does not constitute the essence of a mental disturbance, be the thought ever so broken or the disposition or action ever so anomalous. Hallucination under certain conditions can appear temporarily, or superstition can come within the range of specific mental disease, and yet there is no insanity. In true mental disease the whole person must be included, so that in his thoughts, feelings, and actions he is no more determined by motives accessible to reflection and conclusion, but by irremovable feelings and ideas upon the Ego, which if called up exercise an incontestible superior power. It is the mental compulsion that constitutes the essence of mental derangement; the patient often stands under its power as a whole personality; at another time he is theoretical or reflective as to this force over him; but the distinctive point is, that he can not clear it away or overcome it through logic nor stop it by his will. This compulsion is grounded in a fundamental organic brain disease.

According to Arndt[3] our manner of knowing, feeling, and willing is differently developed, and shows itself in feeble or strong constitutions as nervousness, weakness, or insanity; or as gift, talent, or genius. Every mental disease is a reaction of the nervous system impaired in its nutrition, especially the nutrition of the brain. Arndt's idea is that when a nervous condition appears occasionally in parents and grandparents it sooner or later passes over into mental disease, as seen in children of aged parents born late, or in children of parents with talent or genius. In the first case (in children born late) this nervous condition develops with the decrease of vital energy; in the second case it comes from the nature of the higher endowment or genius. This endowment or genius is an expression of a highly organized nervous system, more particularly that of the brain. Thus it is that all higher gifts, including genius, are very frequently subject to all kinds of diseased conditions, peculiarities, idiocyncransies, and perversities. Arndt mentions, as examples among poets, Tasso, Lenau, Heinrich, von Kleist, Hölderin, Gutzkow; among artists, Robert Schumann, Carl Blechen; among scientists, Pascal, Frederic Sauvages, John Müller, Robert von Meyer; among statesmen and generals, Tiberius and the Duke of Marlborough. A large number of geniuses were the last of their kind, as Democritus, Socrates, Plato, Aristotle, Cæsar, Augustus, Galenus, Paracelsus, Newton, Shakespeare, Leibnitz, Kant, Voltaire, Gustave Adolphus, Frederick the Great, Napoleon, Linné, Cuvier, Byron, Alexander von Humboldt. The family of Schiller have died out in their male members. This dying out of genius can only be explained according to Arndt by the weakness of their organizations and the resulting hyperæsthesia. This also is an explanation of the fact that the brothers and sisters of geniuses are often mediocre, and sometimes weak-minded.

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[1] Treatise on Insanity, New York, 1883.

[2] Klinische Psychiatrie.

[3] Lehrbuch der Psychiatrie.

GENIUS.

Moreau of Tours[1] holds that genius is the highest expression, the *ne plus ultra* of intellectual activity, which is due to an over-excitation of the nervous system, and in this sense is neurotic; that disease of the nervous centers is a hereditary condition, favoring the development of the intellectual faculties. He maintains, on the basis of biographical facts, that among distinguished men one finds the largest number of insane; that the children of geniuses are inferior even to those of average men, owing to convulsions and cerebral diseases in infancy. Genius is always isolated, it is a *summum* of nature's energy, after which her procreative forces are exhausted. Mental dynamism can not be exhalated to genius, unless the organ of thought is in a condition analogue to that of an abnormal irritability, which is also favorable to the development of hereditary insanity. When the mind reaches its highest limit it is in danger of falling into dementia. The cerebral troubles of great men, from simple nervousness to normal perturbation, are the natural if not necessary efforts of their organization. Lélut[2] also considers genius a nervous affection, a semimorbid state of the brain. Nisbet[3] holds that genius and insanity "are but different phases of a morbid susceptibility of or a want of balance in the cerebrospinal system." "Whenever a man's life is at once sufficiently illustrious and recorded with sufficient fullness he inevitably falls into the morbid category." Huxley says: "Genius, to my mind, means innate capacity of any kind above the average mental level." From a biological point of view I should say that a "genius" among men stands in the same position as a "sport" among animals and plants, and is a product of that variability which is the postulate of selection. I should think it probable that a large proportion of "genius sports" are likely to come to grief, physically and socially, and that the intensity of feeling, which is one of the conditions of what is commonly called genius, is especially liable to run into the fixed ideas which are at the bottom of so much insanity.[1] Lombroso[2] says that from an anatomical and biological study of men of genius, who are semi-insane, from an investigation of the pathological causes of their apparition, marks of which are almost always left in their descendants, there arises the conception of the morbid degenerative nature of genius.

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[1] Psychologie morbide.

[2] Démon de Socrate.

[3] The Insanity of Genius, London, 1891.

While, then, some alienists hold that genius is a pathological condition of the nervous system, a hyperæsthesia, a nervous, or mental disease, others do not go so far; yet all seem to be agreed that the relation between insanity and genius is very close.

As an introduction to the biographical study of genius it will be interesting to give the opinions of geniuses themselves.

Aristotle says that under the influence of a congestion of the head there are persons who become poets, prophets, and sybils. Plato[3] affirms that delirium is not an evil but a great benefaction when it emanates from the divinity.

Democritus[4] makes insanity an essential condition of poetry. Diderot[5] says: "Ah, how close the insane and the genius touch; they are imprisoned and enchained; or, statues are raised to them." Voltaire says: "Heaven in forming us mixed our life with reason and insanity; the elements of our imperfect being; they compose every man, they form his essence." Pascal says: "Extreme mind is close to extreme insanity." Mirabeau affirms that common sense is the absence of too vivid passion; it marches by beaten paths, but genius never. Only men with great passions can be great. Cato[6] said before committing suicide: "Since when have I shown signs of insanity?" Tasso said: "I am compelled to believe that my insanity is caused by drunkenness and by love; for I know well that I drink too much." Cicero speaks of the *furor poeticus;* Horace of the *amabilis insania;* Lamartine of the mental disease called genius. Newton in a letter to Locke says that he passed some months without having a "consistency of mind." Chateaubriand says that his chief fault is weariness, disgust of everything, and perpetual doubt. Dryden says: "Great wit to madness is nearly allied." Lord Beaconsfield says: "I have sometimes half believed, although the suspicion is mortifying, that there is only a step between his state who deeply indulges in imaginative meditation and insanity. I was not always sure of my identity or even existence, for I have found it necessary to shout aloud to be sure that I lived."[1] Schopenhauer confessed that when he composed his great work he carried himself strangely, and was taken for insane. He said that men of genius are often like the insane, given to continual agitation. Tolstoi acknowledges that philosophical scepticism had led him to a condition bordering on insanity. George Sands says of herself, that at about seventeen, she became deeply melancholic, that later she was tempted to suicide; that this temptation was so vivid, sudden, and bizarre that she considered it a species of insanity. Heine[2] said that his disease may have given a morbid character to his later compositions.

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[1] Nisbet, The Insanity of Genius, London, 1891.

[2] L'Homme de Gérie.

[3] Phaedo.

[4] Horace, ars Poetica.

[5] Dictionaire Encyclopédique.

[6] Plutarch.

However paradoxical such sayings may seem, a serious investigation will show striking resemblances between the highest mental activity and diseased mind. As a proof of this, we will give a number of facts, to which many more might be added.

BIOGRAPHICAL FACTS SHOWING ECCENTRICITIES, NERVOUS DISEASES, AND SYMPTOMS OF INSANITY.

The difficulty of obtaining facts of an abnormal or pathological nature, and of other unfavorable data, is obvious. Authors have not only concealed such data, but have not deemed them important enough to record. It is due to the medical men, whose life brings them closest to abnormal reality, that such facts have been gathered. If it be said that the abnormal or exceptional must be taken with some caution, because it is natural for the mind to exaggerate striking characteristices, it must be remembered that such facts, when unfavorable to reputation, are concealed. In the study of any exceptional or abnormal individual, as the insane or genius, one finds much more concealed than is known.

Socrates had hallucinations from his familiar genius or demon. Pausanias, the Lacedemonian, after killing a young slave, was tormented until his death by a spirit, which pursued him in all places and which resembled his victim. Lucretius was attacked with intermittent mania. Bayle says this mania left him lucid intervals, during which he composed six books, "*De rerum natura.*" He was 44 years of age when he put an end to his life. Charles V had epileptic attacks during his youth; he stammered. He retreated to a monastery, where he had the singular phantasy of celebrating his own funeral rites in his own presence. His mother (Jane of Castile) was insane and deformed. His grandfather (Ferdinand of Arragon) died at the age of 62 in a state of profound melancholia. Peter the Great, during infancy, was subject to nervous attacks which degenerated into epilepsy. One of his sons had hallucinations; another convulsions. Cæsar was epileptic, of feeble constitution, with pallid skin, and subject to headaches. Linné, a precocious genius, had a cranium hydrocephalic in form. He suffered from a stroke of paralysis. At the end of one attack he had forgotten his name. He died in a state of senile dementia. Raphael experienced temptations to suicide. He himself says: "I tied the fisherman's cords which I found in the boat eight times around her body and mine, tightly as in a winding sheet. I raised her in my arms, which I had kept free in order to precipitate her with me into the waves. * * * At the moment I was to leap, to be swallowed forever with her, I felt her pallid head turn upon my shoulder like a dead weight and the body sink down upon my knees."[1]

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[1] Contarini Fleming.

[2] Correspondance Inédite, Paris, 1877.

Pascal,[2] from birth till death, suffered from nervous troubles. At 1 year of age he fell into a languor, during which he could not see water without manifesting great outbursts of passion; and, still more peculiar, he could not bear to see his father and mother near one another. In 1627 he had paralysis from his waist down, so that he could not walk without crutches; this condition continued three months. During his last hours he was taken with terrible convulsions, in which he died. The autopsy showed peculiarities. His cranium appeared to have no suture, unless perhaps the lambdoid or sagittal. A large quantity of the brain substance was very much condensed. Opposite the ventricles there were two impressions as of a finger in wax. These cavities were full of clotted and decayed blood, and there was, it is said, a gangrenous condition of the dura mater. Walter Scott, during his infancy, had precarious health, and before the age of 2 was paralyzed in his right limb. He had a stroke of apoplexy. He had this vision on hearing of the death of Byron: Coming into the dining room, he saw before him the image of his dead friend; on advancing toward it, he recognized that the vision was due to drapery extended over the screen.[3]

Some men of genius who have observed themselves describe their inspiration as a gentle fever, during which their thoughts become rapid and involuntary. Dante says:

* * * I'mi son un che, quando
Armore spira, noto ed in quel modo
Che detta dentro vo significando.

(I am so made that when love inspires me, I attend; and according as it speaks in me, I speak.)

Voltaire, like Cicero, Demosthenes, Newton, and Walter Scott, was born under the saddest and most alarming conditions of health. His feebleness was such that he could not be taken to church to be christened. During his first years he manifested an extraordinary mind. In his old age he was like a bent shadow.[4] He had an attack of apoplexy at the age of 83. His autopsy showed a slight thickness of the bony walls of the cranium. In spite of his advanced age, there was an enormous development of the encephalon.[1]

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[1] Raphael, pages de la vingtiéme année.

[2] L'Amulette de Pascal, 1846.

[3] Edinburgh Medical and Surgical Journal, January, 1843.

[4] Ségur, "Mem.," t. I.

Michael Angelo,[2] while painting "The Last Judgment," fell from his scaffold and received a painful injury in the leg. He shut himself up and would not see anyone. Bacio Rontini, a celebrated physician, came by accident to see him. He found all the doors closed. No one responding, he went into the cellar and came upstairs. He found Michael Angelo in his room, resolved to die. His friend the physician would not leave him. He brought him out of the peculiar frame of mind into which he had fallen. The elder brother of Richelieu, the cardinal, was a singular man; he committed suicide because of a rebuke from his parents. The sister of Richelieu was insane. Richelieu himself had attacks of insanity; he would figure himself as a horse, but afterwards would have no recollection of it. Descartes, after a long retirement, was followed by an invisible person, who urged him to pursue his investigations after the truth. Goethe was sure of having perceived the image of himself coming to meet him. Goethe's mother died of an apoplectic attack. Cromwell, when at school, had a hallucination in his room; suddenly the curtains opened and a woman of gigantic stature appeared to him, announcing his future greatness. In the days of his power he liked to recount this vision. Cromwell had violent attacks of melancholic humor; he spoke of his hypochondria. His entire moral life was molded by a sickly and neuropathical constitution, which he had at birth. Rousseau was a type of the melancholic temperament, assuming sometimes the symptoms of a veritable pathetic insanity. He sought to realize his phantoms in the least susceptible circumstances; he saw everywhere enemies and conspirators (frequent in the first stages of insanity). Once coming to his sailing vessel in England he interpreted the unfavorable winds as a conspiracy against him, then mounted an elevation and began to harangue the people, although they did not understand a word he said. In addition to his fixed ideas and deliriant convictions, Rousseau suffered from attacks of acute delirium, a sort of maniacal excitation. He died from an apoplectic attack. Jeanne d'Arc was a genius by her intrepid will; she had faith in her visions; her faith rested upon the immovable foundation of numerous hallucinations having the force of moral and intellectual impulsion, making her superior to those around her. Science can pronounce as to her inspirations, but its judgment does not diminish in the least the merit of her heroism. Jeanne was of the peasant class and uneducated. According to her statement, she first heard supernatural voices when she was 13 years old. Mohammed was epileptic. He persistently claimed to be a messenger from God, receiving his first revelation at the age of 42. He lost his father in infancy and his mother in childhood; was a traveling merchant, and married a wealthy widow fifteen years older than himself. His revelations began with visions in sleep. He used to live alone in a cave. He had interviews with the Angel Gabriel. Henry Heine died of a chronic disease of the spinal column. Lotze was often melancholic. Moliére suffered from convulsions; delay or derangement could throw him into a convulsion.

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[1] R. Parise, Philosophie et Hygiène.

[2] R. Parise. Histoire de la Pinture en Italie.

Mozart's musical talent was revealed at 3 years of age; between 4 and 6 he composed pieces with expertness. Mozart died at 36 of cerebral hydropsy. He had a presentiment of his approaching end. He was subject to fainting fits before and during the composition of his famous "Requiem." Mozart always thought that the unknown person which presented itself to him was not an ordinary being, but surely had relations with another world and that he was sent to him to announce his end. Cuvier died of an affection of the nervous centers; the autopsy showed a voluminous brain. He lost all his children by a fever called "cerebral." Condillac had frequent attacks of somnambulism; he sometimes found his work finished in the morning. Bossuet suffered from a disease from which he once lost speech, knowledge, and even the faculty of understanding. Dumas says: "Victor Hugo was dominated by the fixed idea to become a great poet and the greatest man of all countries and times. For a certain time the glory of Napoleon haunted him." Chopin ordered by will that he be buried in a gala costume, white cravat, small shoes, and short trousers. He abandoned his wife, whom he loved, because she offered another person a seat before she offered it to him. Giordano Bruno considered himself enlightened by a superior light sent from God, who knows the essence of things. Comte considered himself the "Great Priest" of humanity. Madame de Staël died in a state of delirium, which had lasted several days; according to some authors, several months. The autopsy showed a large quantity of cerebral matter, and very thin cranium. Moreau of Tours says she had a nervous habit of rolling continually between her fingers small strips of paper, an ample provision of which was kept on her mantlepiece. She used opium immoderately. She had a singular idea during her whole life; she was afraid of being cold in the tomb; she desired that she be enveloped in fur before burial.

English men of letters who have become insane, or have had hallucinations and peculiarities symptomatic of insanity, are Swift, Johnson, Cowper, Southey, Shelley, Byron, Goldsmith, Lamb, and Poe. Swift was also cruel in conduct, but he was hardly responsible, as his insanity was congenital. His paternal uncle lost speech and memory and died insane. Swift was somewhat erratic and wild as a university student. He suffered at times from giddiness, impaired eyesight, deafness, muscular twitchings, and paralysis of the muscles on the right side of the mouth. He had a bad temper, was called "mad person," actually feared insanity, saying once, on seeing a tree that had been struck by lightning, "I shall be like that tree, I shall die at the top." Later in life he became a violent maniac. The post-mortem examination showed a cerebral serous effusion and softening of the cortex. There were a number of cranial anomalies. Shelley when young was strange and fond of musing alone, and was called "Mad Shelley;" he suffered from somnambulism and bad dreams, and was excitable and impetuous; these symptoms increased with age; at twenty he constantly took laudanum for his nervous condition; he had hallucinations; he saw a child rise from the sea and clap his hands, a vision which it was difficult to reason away. Much eccentricity existed in the immediate antecedents of Shelley. Charles Lamb was confined in an insane asylum. Johnson was hypochondriacal and apprehended insanity, fancying himself seized with it; he had convulsions, cramps, and a paralytic seizure depriving him of speech; he had hallucinations of hearing. Carlyle considered Southey the most excitable man of his acquaintance. Southey's mind failed and he became an imbecile and died; a year before his death he was in a dreamy state, little conscious of his surroundings. Southey wrote verses before he was 8 years of age. His maternal uncle was an idiot and died of apoplexy. The mother of Southey had paralysis. Cowper was attacked with melancholia at 20, which continued a year; at another time it returned with greater force. He himself tells of his attempts at suicide; he bought laudanum, keeping it in his pocket, when later a feeling pressed him to carry it into execution; but soon another idea came to him, to go to France and enter a monastery; then the suicidal impulse came again, to throw himself into the river—an inhibitory feeling from taking the laudanum—but he would have succeeded in hanging himself, had not the thong to which the rope was fastened broken. After suicidal ideas left him, he relapsed into religious melancholia, thinking he had committed the unpardonable sin. He was confined in an asylum eighteen months. Keats was an extremely emotional child, passing from laughter to tears; he was extremely passionate, using laudanum to calm himself; sometimes he fell into despondency. He prophesied truly that he would never have any rest until he reached the grave. The attacks of critics agitated him almost to insanity. His nervousness was very susceptible, so that even "the glitter of the sun" or "the sight of a flower" made his nature tremble. Coleridge was a precocious child, self-absorbed, weakly, and morbid in imagination; this morbidity was the cause of his running away from home when a child and from college when a student; he enlisted as a soldier, and again went to Malta for no reason, permitting his family to depend upon charity. When 30 years of age his physical suffering led him to use opium. Subsequently he had a lateral curvature of the spine (De Quincey). There were many morbid symptoms in the family. Burns says: "My constitution and frame were *ab origine* blasted with a deep, incurable taint of melancholia which poisons my existence." Dickens died from effusion of blood upon the brain; he was a sickly child, suffering from violent spasms; when a young man he had a slight nervousness which increased with age, and finally was attacked with incipient paralysis.[1] George Eliot suffered from melancholic moods, and from her thirtieth year had severe attacks of headache. As a child she was poor in health and extremely sensitive to terror in the night. She remained a "quivering fear" throughout her whole life.[2] De Quincey, the opium-eater, took opium as a relief from neuralgia and general nervous irritation. He was in bad health for a long time, dying at the age of 39. Alfred de Musset had attacks of syncope; he died at 47. George Sand described him in the Forest of Fontainebleau in his neurotic terror, in his joy and despair, as manifesting a nervous condition approaching delirium. He had a morbid cerebral sensibility, showing itself in hallucinations; he had a suicidal inclination. He was a dissipated gambler, passing from gaiety to depression. His keen disappointment in love in Italy was accompanied by brain fever. For some time after this he could not speak of his chagrin without falling into syncope. He had an hallucination, and to distinguish it from real things, he had to ask his brother. Wellington was subject to fainting fits; he had epilepsy and died from an attack of the disease. Warren Hastings was sickly during his whole life; in his latter years he suffered from paralysis, giddiness, and hallucinations of hearing. During the time of his paralysis he developed a taste for writing poetry.[3] Carlyle,[4] the dyspeptic martyr, showed extreme irritability. He says in his diary: "Nerves all inflamed and torn up, body and mind in a hag-ridden condition." He suffered from a paralysis in his right hand. Carlyle's antecedents were conspicuously of a nervous kind. Bach[5] died from a stroke of apoplexy; one of his numerous children was an idiot. His family suffered from nervous diseases. Handel[6] was very irritable; at the age of 50 he was stricken with paralysis, which so affected his mind that he lived in retirement for a year.

Nisbet[7] says: "Pathologically speaking, music is as fatal a gift to its possessor as the faculty for poetry or letters; the biographies of all the greatest musicians being a miserable chronicle of the ravages of nerve disorder extending, like the Mosaic curse, to the third and fourth generation." Newton in the last years of his life fell into a melancholia which deprived him of his power of thought. Newton himself in a letter to Locke says that he passed some months without having "a consistency of mind." He was also subject to vertigo. From the manner of manifestation and the results following from this disease,

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[1] Foster. Life of Charles Dickens.

[2] J. W. Cross. Life of George Eliot.

[3] Gleig. Memoirs of the life of Warren Hastings.

[4] Reminiscenses.

[5] Spitta. Life of John Sebastian Bach.

[6] Rockstro. Life by Handel.

[7] The Insanity of Genius.

Moreau[1] goes so far as to say that it permits a certain degree of diagnosis and may be called acute *dementia.*

The insanity of Tasso is probable from the fact that, like Socrates, he believed he had a familiar genius which was pleased to talk with him and from whom he learned things never before heard of. Swift died insane. Chateaubriand during his youth had ideas of suicide and attempted to kill himself. His father died of apoplexy; his brother had an eccentricity bordering on insanity; was given to all vices and died of paralysis. "My chief fault," says Chateaubriand, "is weariness, disgust of everything and perpetual doubt." Tacitus had a son who was an idiot. Beethoven was naturally bizarre and exceedingly irritable. He became deaf and fell into a profound melancholia, in which he died. Alexander the Great had a neurosis of the muscles of the neck, attacking him from birth, and causing his head to incline constantly upon his shoulders. He died at the age of 32, having all the symptoms of acute delirium tremens.[2] His brother Arrchide was an idiot. His mother was a dissolute woman; his father was both dissolute and violent. De Balzac (Honoré) died of hypertrophy of the heart, a disease that can predispose one to cerebral congestion. The eccentricity of his ideas is well known. Lamartine says he had peculiar notions about everything; was in contradiction with the common sense of "this low world." His father was as peculiar. Lord Chatam was from a family of original mental disproportions, of peculiarities almost approaching alienation. Lord Chatam did not do things as others; he was mysterious and violent, indolent and active, imperious and charming. Pope was rickety. He had this hallucination: One day he seemed to see an arm come out from the wall, and he inquired of his physician what this arm could be. Lord Byron was scrofulous and rachitic and club-footed. Sometimes he imagined that he was visited by a ghost; this he attributed to the over-excitability of his brain. He was born in convulsions. Lord Dudley had the conviction that Byron was insane. The Duke of Wellington died of an apoplectic attack. Napoleon I had a bent back; an involuntary movement of the right shoulder and at the same time another movement of the mouth from left to right. When in anger, according to his own expression, he looked like a hurricane, and felt a vibration in the calf of his left leg. Having a very delicate head, he did not like new hats. He feared apoplexy. To a general in his room he said, "See up there." The general did not respond. "What," said Napoleon, "do you not discover it? It is before you, brilliant, becoming animated by degrees; it cried out, 'that it would never abandon me;' I see it on all great occasions; it says to me to advance, and it is for me a constant sign of fortune."

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[1] Psychologie morbide.

[2] Plutarch.

GENERAL CONSIDERATIONS.

Many great men have believed in the existence of a star, of a genius protector. It is probable that many of these hallucinations have aided men in the execution of their plans. Additional biographical data concerning the different types of genius might be added, and many will occur to anyone who has read the lives of great men. In certain instances the authority for some of the facts might be questioned, but the great majority will stand.

Lombroso thinks geniuses differ as much from father and mother, which is characteristic of degeneracy, and thus the physical resemblances between geniuses of different epochs and races are noticed, as in Julius Cæsar and Napoleon. They sometimes lose their national type, and it occurs in the most noble traits, as elevation of forehead, remarkable development of nose and head, and vivacity of the eyes. A parallel example is found in Cretins and insane. Humboldt, Virchow, Bismarck, and Hemholtz do not have, according to Lombroso, the German physiognomy. Byron did not have the physiognomy or the character of the English.

Stammering troubled Æsop, Virgil, Demosthenes, Alcibiades, Erasmus, Cato of Utica, and Charles V. Sterility is not uncommon in great men, as Dryden, Addison, Pope, Swift, Johnson, and Goldsmith. Precocity is a symptom of genius and insanity. Dante composed verses at 9, Tasso and Mirabeau at 10. Comte and Voltaire and Pascal were great thinkers at 13; Niebuhr at 7; Jonathan Edwards and Bossuet and Pope at 12; Goethe before 10; Victor Hugo and Fénélon at 15. Handel and Beethoven composed at 13; Mozart gave concerts at 6; Raphael was renowned at 14. Yet some great men were regarded as poor pupils, as, for example, Pestalozzi, Wellington, Balzac, Humboldt, Boccacio, Linné, Newton, and Walter Scott.

Originality is very common, both to men of genius and the insane; but in the latter case it is generally without purpose. Lombroso goes so far as to make unconsciousness and spontaneity in genius resemble epileptic attacks. Hagen makes irresistible impulse one of the characteristics of genius, as Schüle (see above) does in insanity.[1] Mozart avowed that his musical inventions came involuntary, like dreams, showing an unconsciousness and spontaneity, which are also frequent in insanity. Socrates says that poets create, not by reflection, but by natural instinct. Voltaire said, in a letter to Diderot, that all manifestations of genius are effects of instinct, and that all the philosophers of the world together could not have given "Les animaux malades de la peste," which La Fontaine composed without knowing even what he did. According to Goethe a certain cerebral irritation is necessary to poets. Klopstock declared that in dreams he had found many inspirations for his poem.

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[1] Klinische Psychiatrie.

Thus, as the great thoughts of genius often come spontaneously, so it is with the ideas of the insane.

Geniuses are inclined to misinterpret the acts of others and consider themselves persecuted. These are well-known tendencies of the insane. Boileau and Chateaubriand could not hear a person praised, even their shoemaker, without feeling a certain opposition. Schopenhaur became furious, refused to pay a bill, in which his name was written with a double "p." Unhealthy vanity is also common in the ambitions of monomaniacs.

SOME PHYSICAL ANOMALIES IN MEN OF GENIUS AND IN THE INSANE.

Not a few men of genius are rachitic and some have cranial and cerebral lesions. Vico, Clement VI, and Malbranche had their skulls fractured. Pericles, Bichat, Kant, and Dante had cranial asymmetry. Dante had an abnormal development of the left parietal bone and two osteomata in the frontal bone. Kant was ultrabrachycephalic; the disproportion between the upper part of the occipital bone and the lower part is noticeable; the same is true as to the minimum smallness of the frontal arc as compared with the parietal. The "soudures" of the sutures in the crania of Byron, Pascal, and Humboldt are to be noted. Descartes was submicrocephalic. Milton, Linnæus, Cuvier, and Gibbon were hydrocephalic. Dante and Gambetta had small cranial capacity. Rousseau had hydropsical ventricles, Gauss[1] and Bichat had a more developed left hemisphere than right.

Bischoff and Rüdinger, in a study of eighteen brains of German savants, have found congenital anomalies of the cerebral convolutions.

Alienists hold in general that a large proportion of mental diseases are the result of degeneracy, that is to say, they are the offspring of drunken, insane, syphilitic, and consumptive parents. The most frequent characteristics of mental diseases are: apathy, weakness or loss of normal sense, impulsiveness, propensity to doubt, verbosity or exaggerated acuteness, extreme vanity or eccentricity, excessive preoccupation with one's own personality, mystical interpretations of simple facts, hallucinations, abuse of symbols or special terms, sometimes suppressing every other form of expression, and a general physical disproportion through an excessive development of certain faculties or by absence of others. The reader is particularly requested to note these physical symptoms of insanity, for almost all of them, as we have seen, are found in men of genius. If X were substituted for insanity and Y for genius, so as to dispel preconceived notions, an impartial observer would be very liable to say that the characteristics of X and Y bring them under the same general category. Also some other physical characteristics of the insane are almost as frequent in geniuses; they are: asymmetry of face and head, irregularity in teeth, rachitism, face and head very small or very large. In the insane are frequently found abnormally large or small ears or mouth, hare-lips, hypertrophy of the under lip, gums wide or one-sided, bent nose, hands unequal in size, abnormal growth of hair over body, growth of beard on women, and defective eyebrows, etc. Cerebral anæmia is frequent and hyperæmia very frequent in the insane. Wildermuth from an investigation of 127 idiots found 69 normal craniums. Meynert[1] says that 114 out of 142 idiots show signs of degeneration. In order that some of the results may be seen more in detail, we give some tables.[2]

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[1] Wagner, Das Hirngewicht der Menchen, 1870.

TABLE I.—*Cranial capacity in cubic centimeters.*

Men:	
Average of 30 normal craniums	1,450
Average of 10 epileptic craniums	1,523
Women:	
Average of 30 normal craniums	1,300
Average of 14 epileptic's craniums	1,346

Here in Table I (as in the case of men of talent and genius in the following Table II) we see that the abnormal exceed the normal in brain development, that is to say, in these cases the insane and genius both exceed the normal man in cranial capacity or weight of brain.

TABLE II.

Men of talent and genius.	Age.	Weight of brain in grammes.	Medium weight of average brain at same age.	Cranial capacity in cubic centimeters.	Horizontal circumference in millimeters.
Webster (statesman)	70	1,520	1,303		
Thackery (humorist)	52	1,660	1,368		
Cuvier (scientist)	62	1,829	1,340		
Gaust (mathematician)	78	1,492	1,246		
Broca (anthropologist)	65	1,485	1,331		
Kant (philosopher)				1,740	
Napoleon I (general)					564
Darwin (scientist)					563
Wagner (musician)					600
Dante				1,493	
Schumann, Robert				1,510	
Schwann (scientist)					565
Napoleon III		1,500			
Müller (scientist)					614
Liebig (chemist)	70	1,352	1,303	1,550	
Whewell (philosopher)	72	1,390			
Average of 35 men of talent	65	1,474	1,319		

Taking now 551 millimeters as an average horizontal circumference of the head it will be seen that Napoleon, Darwin, Wagner, Schwann, and Müller exceed the normal. The averages of brain weight for the different ages, given by Welcker, are not absolute, but sufficiently near the truth for comparison.

TABLE III.

	Weight of brain.	No. of brains.
Melancholia	1,490.33	9
Mania	1,438.46	15
Old cases	1,454.00	23
Transition forms	1,447.05	15
		62

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[1] Meynert. Klinische Vorlesungen über Psychiatrie, 1890.

[2] Welcker., Schiller's Schädel, etc.

If 1,350 grammes is taken as an average weight for a brain, Table III gives 62 insane much above the normal, but this is 62 out of 579 brains weighed. If we take the totals of the 579 as given in Table IV, all are below the average except the maniacs among men. The extreme divergence from the average may be regarded as abnormal and in the light of anomalies. To show more clearly the anomalous nature of the brains of the insane, Table V is given.

TABLE IV.

	Sex.	Weight.
Total melancholia	Men	1,295.18
	Women	1,210.37
Total mania	Men	1,376.41
	Women	1,221.09
Total old cases	Men	1,319.22
	Women	1,175.74
Total paralytics	Men	1,214.82
	Women	1,068.24
Total transition forms	Men	1,336.03
	Women	1,190.03

We see therefore from these tables that particular individuals among both the insane and genius show extremely large cerebral capacity, but that in general the insane are much below the normal while the genius is above in brain capacity and brain weight.

TABLE V.

	Sex.	No.	Weight.
Melancholia	Men	33	1,052.00
	Women	51	1,035.65
Mania	Men	39	
	Women	53	1,035.00
Old cases	Men	86	
	Women	31	1,057.40
Paralytics	Men	145	1,032.81
	Women	29	1,048.88
Transition forms	Men	43	
	Women	49	1,055.06

Bischoff found some of the heaviest brains (weighing 1,650, 1,778, 1,770, and 1,925 grammes) among common and unknown laborers; but such cases are very rare, so much so that the average is not affected. De Quatrefages says that the largest brain has been found in a lunatic, and the next largest in a genius. The main fact brought out by the tables is the large number of anomalies and deviations from the normal in both insanity and genius.

CONCLUSION.

The facts cited thus far would seem to indicate that genius is not only abnormal, but often passes into a pathological form. But it may be asked more particularly as to what is meant by pathological and abnormal.

The modern and fundamental conception of disease is an excess of normality. This statement can be supported by the highest medical authorities. Virchow[1] says that substratum upon which pathological manifestations play is a repetition or reproduction of the normal morphological stratum; its pathological character consists in this, that the stratum arises in an unfit way or at the wrong place or time; or it may depend upon an abnormal increase of the tissue elements, resulting in deviation, which becomes degeneration. Thus in pathological relations there is a preservation of specific normal characteristics; nothing new arises functionally. Pathology is *in potentia* in physiology. According to Perl, pathological phenomena are distinguished from the normal by their unequal and little constancy. Cohnheim affirms that physiological laws hold their validity in diseased organisms; that abnormal means a considerable deviation from the type. Ziegler[2] says that disease is nothing else than a life whose manifestations deviate in part from the normal.

In saying that genius manifests the symptoms of a neurosis or psychosis, we mean an excessive nervous or cerebral action. Many forms of insanity are also manifestations of similar excessive action. Such action in one individual can give rise to most wonderful, original, and brilliant ideas, and we call it genius; in another individual it produces also wonderful and original but highly absurd thoughts, and we call it insanity. But it appears that the fundamental cause in both genius and insanity is the same; *it is the excessive psychical or nervous energy.*

Some of the flights of genius are most brilliant and fascinating, yet they are none the less abnormal; and when this abnormality reaches a certain degree it can become pathological. Thus Don Quixote has wonderful ideas; he is an ardent soul with brilliant thoughts superior to the opinions of his contemporaries. Yet he renders no account of real things; he is in the air; he takes his imaginations for realities, sees everything in his dream; he is without critical spirit and has little balance. Edgar Poe is full of phantasy, invention, original creations, extreme notions, regardless of critical spirit. Poe was somewhat dipsomaniac. While his writings are remarkable, yet they have elements similar to the wanderings of the insane.

Some characteristics of genius are originality, egotism, vanity, indiscretion, and lack of common sense; precocity, sterility, irritability, impetuosity, melancholy, and susceptibility to visions and dreams. These characteristics belong also to the insane. If it be said that it is cruel to compare much that we consider highest in the world with insanity, the reply is, that we might as well object to classing man among the bipeds because vultures are bipeds. Any analysis of genius that may show the closest relation to insanity cannot change genius itself. Faust and Hamlet remain Faust and Hamlet. Genius and great talent may be considered those forms of abnormality most beneficial to society.

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[1] Cellular-Pathologie.

[2] Allgemeine path. Anatomie.

CHAPTER VI.

SOCIOLOGICAL, ETHICAL, AND CHARITOLOGICAL LITERATURE.

Concetto e Limiti della Sociologia Criminale. NAPOLEONE COLAJANNI. Rivista di filosofia scientifica. Novembre, 1888.

The writer is the standard-bearer and the principal authority among Italian socialists. Development is not always normal in human society; it as a whole suffers from disease, just as the individual organisms; hence the necessity of the study of the morbid or abnormal state—a pathological sociology. This comprehends the study of the anomalies opposed to nature, showing their coexistence and their derivation one from the other in the social organism. Criminal sociology occupies itself with the criminal manifestations. Romagnosi, the statesman, says that crimes are the diseases of the social body; sometimes they are general, sometimes local, now permanent, now transitory. Criminal sociology reaffirms the analogies between biology and sociology. The difference in the laws and respective characteristics is shown, not only in the fully developed organism, but in assigning to sociology the principal characters of the evolution in all the phases of one society. The utility of criminal sociology is direct and indirect: (1) By the study of the pathological alterations, the knowledge of the normal functions is increased; thus one is better able to determine the relation between cause and effect in diverse social phenomena; for, as Drill says, delinquency is a sensible measure of the degree of health, strength, and prosperity of a given society in every given moment of its existence. (2) The direct utility of the study of social pathology, especially of criminal sociology, is intuitive; it directs one towards the care and prevention of crime; in lessening pain by gaining a just and free exercise of law, which results in the diminution of crime. But what is the place of criminal sociology in the hierarchy of the sciences? Lucchini, Fulci, and Puglia, three famous Italian statesmen, maintain the superiority of the law to that of sociology. Others hold that legal science is only a chapter in sociology.

Now, sociology is a study of the whole life of the social organism. Liszt would divide biology into anthropology and criminal psychology. Moleschott thinks that sociology should be included in anthropology. But anthropology should be an introduction to sociology. Garrandi's division is: (1) Study of the world of criminality in its actual state and in its history; (2) Investigation of causes which produce crime; (3) Indication and organization of the means of combating crime. But a more practical division is this: (1) Genesis and etiology of crime; (2) Treatment of crime, (*a*) prevention, (*b*) repression; (3) history and course of crime.

Socialismo e Criminalità. ENRICO FERRI. Roma, 1883. pp. 224.

The author says in his preface to the reader that it is imposed upon contemporary science to embrace daily reality, and not platonic researches for archæological sweepings; and that this is not the love of science for its own sake, but for the sake of life. He calls attention to two new current ideas; one is the result of the experimental method in the study of criminal phenomena, the other is the effect of positivism in the study of economical facts. His conclusions are as follows: Crime, like all other manifestations of social pathology, is the offspring of the present social system; but socialism will change radically the state of society. In the new order of things prophesied and desired, crime will disappear (in a manner more or less absolute), and with it the relatively unproductive institutions—prisons, soldiers, and judges. The social surroundings will be the best, and crime, like misery, ignorance, prostitution, and immorality in general, will finish their sad tyranny. The following are two general socialistic affirmations which have immediate relation to the problem of the criminality of the future. The iron laws of the struggle for existence, which have dominated the animal world and humanity, will be eliminated from the economical order of socialism, which is the suppression of vital competition. Egoism, which in humanity, past and present, stands as a bar to all moral and social life, will disappear before altruism, disinterestedness, and love of neighbor, which will reign sovereign in the economical order of socialism.

Ueber die Ursachen der heutigen socialen Noth, von LUJO BRENTANO. Leipzig, 1889. pp. 43.

One method in political economy is to follow a definition rather than reality; to formulate concepts so that they correspond to ideals rather than facts, as Karl Marx and Rodbertus have done. The latter admits that the proposition whereby the value is equal to the labor which the production of an object has cost does not agree with facts; what is presupposed should take place, and the source of all social evils, is regarded as lying in the contradiction of this postulate with reality. Another abstract school shows that value is not equal to the amount of work used in production, and that the deliverance of the whole product to the workman is not justified. But this school stops here, and there arises the idea that in the economic world all is in order, that there is no need which is not the fault of the individual himself. We accept neither of these views; we do not undertake to master life in such a way, to chase after ideals that can not be realized. The establishment of an idea must rest upon reality. We are contented with that which we strive to have, if only the material conditions exist for the good of all. Following the method of the investigator of nature, we find that social need, as it develops in reality, has nothing to do with all the ideas which fill the minds of those who deal with the abstract. The first and last cause of the present social need is the uncertainty in economical life, which arose with the dependence of all business upon the emporium, a necessary stage in the development of national economy. The remedy is not a new organization of economic life, but is to satisfy the nearest needs of the present, and when these cease the remedy should cease with them. Protective organizations stir up the greatest hostility of theoreticians of all views, the individualistic and socialistic, but there develops out of these a new organization of economic life which is practical, and promises to set aside the uncertainty of existence. This does not show us how a theory to master life can be, but only to observe life, how its principles run, so that we may direct life accordingly.

Note pour l'Étude Statistique du Divorce, par M. JACQUES BERTILLON. Paris. pp. 25.

In Switzerland divorces are more frequent than in any other European country. Saxony is next, and is the only country where the men ask for divorces almost as often as the women. Those two countries exceed so much other countries of Europe as to demand special mention. Household troubles are frequent in France, where, however, divorce does not exist. It is wrong to say, therefore, that divorce causes such troubles.

The general conclusions from statistics are: (1) that in incompatible marriages the woman suffers much more often than the man; (2) that those divorced do not very often marry again when they are young, but after a certain age they do with great ardour; (3) that widows marry again sooner after the dissolution of their first marriage than men. It is a general opinion in France that in the countries where divorce exists one uses it only in order to marry again. Statistics show that this is not true in the case of men at least, but is true as to a certain number of women. Those divorced show a considerable mortality, due, without doubt, to moral causes. Of 1,000 requests for separations in France, 900 were founded upon a grave charge, 55 upon adultery of the woman, 34 upon adultery of the man, and 11 upon indeterminate causes; 14 asked for separations during the first year of marriage, 54 during each of the next four years (second to fifth), 53 during each of the next five years (sixth to tenth), 34 during each of the next ten years (eleventh to twentieth), and 12 during the next ten years (twenty-first to thirtieth).

Vom Ursprung sittlichler Erkentniss, von FRANZ BRENTANO. Leipzig, 1889. pp. 122.

There are no natural moral laws given to us by nature in the sense that they are inborn. There are inborn prejudices, but they have no natural sanction. They are true or false. Motives through fear and hope are not sanctions, nor is a pressure of feeling, as such, a sanction, nor the thought of a command of will of higher power. The ethical sanction is a command similar to the logical rule. The esthetical standpoint—as in logic, so in ethics—can not be the right one. Logical commands are naturally valid rules of judgments. The proper logical superiority or preference is a certain inner rightness which shows on its face a certain excellency. Belief in this excellency is an ethical motive; the knowledge of this excellency is the right ethical motive, the sanction, which gives to the ethical law continuance and validity.

But how shall we arrive at this knowledge? Kant's categorical imperative is a useless fiction. We must look to the results of recent investigation in descriptive psychology. There is no volition without a final purpose; without this all motive power fails; otherwise we would have the absurdity of a purpose without a purpose. Which is the right purpose? is the principal question in ethics. The right purpose is the best attainable; but this is dark, for what do we mean by "best"? The idea of good does not come from outward perception. That which is worthy of love is the good in the widest sense of the word. That which is good in itself is good in the narrow sense; it alone can be compared to the true, for all that is true is true in itself, even if it is also indirectly perceived. There is an instinctive pleasure in our tastes for certain kinds of food. We have also another kind of pleasure, just as instinctive, in clear insight and knowledge; this is a higher form of pleasure.

It is impossible to measure the intensities of pleasures and pains, as the pleasures of smoking a cigar, hearing a symphony, or seeing a Madonna. The summation of good, good in its widest sense, is the purpose of life, to which every act should be ordered. Self-sacrifice, therefore, becomes duty; envy is excluded. Utilitarian considerations are the standard in the multiplicity of secondary rules which nature has laid in tables of law. These rules can be at discord, and in this sense is their ethical relativity. There is a hidden working of true ethical sanction in pseudo-ethical developments.

Il Concetto Scientifico della Libertà Morale. ALFREDO FRASSI. Pisa, 1888. pp. 22.

It is not to be doubted, from the material side of mental actions, that every psychical act consists in a transmission and in a modification of an external impulse; that this is a particular form of energy, of motion. Motion, irritability, and thought are the constant forms of energy which accompany, respectively, atoms, monera, and men. These are the three phases of a continued evolution. Thus the spontaneity of the actions of living beings exists neither more nor less than any other phenomenon of the universe. That which we believe to be the liberty of decision is nothing else than an awakened consciousness in us of the same decision; and the illusion of being free in volition depends, first of all, on the diversity of innumerable causes, which, according to circumstances and temperaments, can direct the action where it preponderates; in the second place, on the confusion that is generally made between liberty and consciousness, as has been said, between liberty and possibility. The final determination is the infallible and exclusive product of three factors: (1) The individual organization (which includes the physical, moral, inborn constitution, dispositions, tendencies, talents, etc.; (2) the state of the nervous system at the moment in which the impression is received, which puts it (nervous system) into activity, including in this catagory also the moral state, in which the nervous centers become occupied by habit and education; (3) the whole of the impressions received at the point of acting, whether they come from passion, or whether they are awakened through reflection or by association within the nervous centers.

There is a relatively modern school which restricts the old idea of freedom to that of an indefinite moral liberty, but this does not help, for the free will acts always according to the strongest motive, and then it is a sovereign without power, who reigns but does not govern; it is a "*quid morto*," which is at the same time alive; it is a name which does not represent a fact.

But determinism is not fatalism; it is not a passive obedience, a devoted resignation, which justifies the end and means of deriving from it a providential wisdom, which alone can satisfy the faith of a Mahommedan or Brahmin lost in contemplation. Ethical education, intellectual exercise, and the severity of the laws are efficient through determinism, becoming sufficient motives to guide our actions according to the recognized principles of morality.

Le Libre Arbitre, par Ernest Naville. Paris, 1890. pp. 338.

In modern Europe the idea of liberty developes a live sentiment of the value of the individual, a feeling more or less unknown to antiquity. At the same time science seeks to explain the destinies of man and humanity by the same laws that govern the motion of matter; that is, by the theory of universal necessity. This opposition between theory and practice is not normal; its maintenance is more and more to the discredit of philosophy. Just as a living organism rejects dead elements, so the human mind can not assimilate doctrines which contradict the immediate sentiment of reality. To sustain the liberty of indifference does not recognize the organic conditions of life; it is to render the affirmation of free will legitimately suspicious to men who are in the current of scientific progress. The elements of nature constitute the part of determinism in the complex phenomenon of human volitions. The affirmation of a relative liberty offers the synthesis of the idea of liberty and necessity; but the two terms are contradictory in themselves, and every synthesis that claims to efface this contradiction, and to unify two distinct elements instead of constituting their relations, is nothing more than a negation of free will. The supreme question is, as to whether the world unrolls fatally, so that man has no more influence over his destiny than over the course of the stars; or, is a part of the plan of the world adapted to liberty, the knowledge of which imposes action. It is time that science inclines to this fact and refuses to live in a world of abstractions irreconcilable with reality. Philosophy should recognize that if determinism is the postulate of all the physical and physiological sciences, relative liberty is none the less certainly the postulate of all the psychological and moral sciences.

Ethische Essays, von GUSTAV BÖHMER. I. Schädige Niemanden ohne Noth. München, 1890. pp. 110.

The daily new discoveries of science show that the world is greater and richer than our senses are able to grasp; it is an unceasing proof of the limitations of human knowledge. The attraction of the earth is just as great an enigma as the consciousness of our body. Just as we must believe that the cart remains when no one is there, so we must believe that there is something higher than man, which holds our life as all nature in motion. Every science strengthens this belief on the Almighty Force. The theory of need is the basis of scientific ethics. All moral acts are dependent either upon self-preservation or preservation of the species.

The ethical principle of the people is, that that action is bad by which the actor injures a person unnecessarily.

An absolute morality for all times is not possible. Every human generation has its own rational morality, which is not absolute, because its ground principle changes, even under the eyes of the living.

Die ethische Aufgabe des Menschen, von DR. BERTHOLD WEISS. Leipzig und Wien, 1890. pp. 23.

The natural striving of men is to obtain the most frequent, intensive, and long-enduring happiness. But pleasure and pain are very differently divided among men. This inequality of division, which appears to be limited by capacity, environment, and act, is it subjectively grounded? Do happiness and merit, unhappiness and guilt, stand in a causal relation?

Responsibility for health or disease, environment or bad education, well being or poverty, can not be thought of; yet these are often alone sufficient to make a life happy or miserable, and here no further investigation is necessary to establish the injustice of the division of pleasure and pain. In fact there is no responsibility for acts, and therefore all human happiness and unhappiness is unmerited. A hungry man sees a loaf of bread on the window; he is lazy, and considers whether anyone will notice him or whether he will be caught. If hunger and laziness exceed the fear of being caught or punished, theft is the result; if hunger and fear exceed laziness, work is the result; if fear and laziness are stronger than hunger, there is no result. If the idea of the death of a child brings more pain to the mother than her own death, she rushes into the burning house to save the child. Thus responsibility for volition and action has as little applicability as it does in the case of capacities and environment. When a grown-up man comes to a conciousness of himself, he finds himself a distinct ego with certain characteristics and dispositions, a son of certain parents, in a certain state, at a certain epoch in the development of mankind; everywhere the highest subjective contingency joined to an outward necessity. That the beautiful is preferred to the ugly, that cleverness outwits stupidity, and strength oversteps weakness, is just as comprehensible as that a wolf eats a lamb; and yet this guilt or that merit lies only in the fact of coming into the world as lamb or as wolf.

The ethical task of men and humanity is to destroy this inequality of division as opportunity presents, and above all, to set aside, hinder, or lessen all suffering as unmerited. Objectively right (good for humanity) are those acts which, under given relations, are most favorable to the balance of happiness to mankind. These same acts are subjectively right when they contribute to the happiness of the individual. Where the natural striving of a man accords with the ethical postulate of objective right, there the absolute ideal of right action is attained.

Einleitung in die Christliche Ethik, von HERMANN WEISS. Freiburg i. B., 1889. pp. 238.

In relation to the task which theological as well as philosophical ethics has just now before it, the treatment of fundamental questions is the most weighty. The author has taken these up somewhat fully and especially with a view to the problems in the life and literature of the present. Theology can not isolate itself from ethics, philosophy, or general literature. Science can not exclude the moral thinking and acting of Christian men in cultured Christendom. True morality is developed and completed only in connection with religion; and true religion is always morally formed, and is determined upon the ground of conscience.

The purport of religious experience is throughout that there is in man a fundamental consciousness of the goodness of God. This awakens the fundamental feeling of absolute moral determination in conscience and also trust in this absolute goodness. These two experiences, while relative to one another, are manifestations of divine fullness.

The Ethical Problem, by DR. PAUL CARUS. Chicago, 1890. pp. 90.

The majority of civilized people demand obedience to certain ethical rules. To some extent they enforce them by laws; but these laws rest upon the ethical spirit that animates a nation. The motive to do right must be a living power in every citizen, and the ethical problem seeks an answer to the question, How can we plant that motive in the souls of men? The problem is not speculative, but practical. Yet correct theories are the indispensable conditions of all progress in practical life. To inculcate the ethical motive requires us to lay down a principle or standard; and to comprehend this the origin and evolution of ethics must be studied. Ethics in the widest sense of the term means regulation of action; in the more definite sense it represents those duties which must be performed in the interest of society. The ethical stimulus has been implanted into man by religion. Religion is a philosophy employed as a regulative principle for action.

The cause that sets the will into motion we call motive. If this will were not determined by motives it would indicate a state of disease, yet this does not mean there is no such thing as freedom of will. But we must make a distinction between necessity and compulsion; necessity is determined by law; compulsion is forcing one to do something against his will. There would be no objection to the word compulsion if it meant that a man was the slave of his motive. In this case the free man would be he who himself compels himself to whatever actions he undertakes, while the slave is compelled by other things, for instance his master's whip. A will not determined by a motive is nonsensical. Responsibility is the consciousness of a free man that he is the author of his actions and of their consequences. The free man is like the artist, full of an idea, executing it without any compulsion, of his own free will. When every man can be a law unto himself he is free. In that day society will realize the highest ideals: justice, order, and freedom.

Les Origines du Mariage et de la Famille, par A. GIRAUD-TEULON, fils. Genève, Paris, 1884. pp. 525.

The more one penetrates into the cosmos the more he recognizes the poverty of pure reasoning, its fictions, as the multiple ways of the evolution of natural phenomena become known. This experimental method has need of existence in the domain of history; and it is the purpose of this book to exemplify its application.

An analysis of the primitive forms of human society is not favorable to the doctrines commonly accepted by the philosophy of history. An impartial study does not indicate that man appeared upon the globe at the head of his family. Exegesis permits us to see in the moral world, as in the physical, the product of successive transformations carried on for ages almost insensibly. The patriarchal family is only a stage in the development of humanity, where one can recognize the vestiges of a more rudimentary state.

Under the feet of classical peoples there extends a stratum of human fossils, which occupied a vast territory and whose laws and ideas differed profoundly from those of historical peoples. This substratum has left in Asia, America, Oceanica, and Africa, the débris of domestic institutions diametrically opposed to those of the patriarchal family.

The most ancient human societies appear to have been organized on the principle of communistic marriage; and when consanguinity became the organic law of the family it was indicated first only by the maternal birth; the family did not rest on paternal power, but upon uterine consanguinity; the rights of succession, of property, authority belonged to the feminine line, and man as father was relegated to a subordinate situation. Thus the maternal family is an inevitable stage in every primitive civilization, and the patriarchal is a consequence of a slow progress of the human race. But it is urged that certain human cases may have practiced monogamy, just as certain species of animals do; as gorillas, anthropoid apes, the carnivora, the swallows (monogamy for life), pigeons, etc. This supposition would be admissible if anthropology could demonstrate the diversity of the origin of human races. But in absence of this we must picture the human race as a specific unity. According to the customs of present savages it would seem that the confusion in the relation of the sexes and uterine parentage had been the law of primitive societies. The conception of man in a state of primitive nature, degraded by his primordial innocence and corrupted by civilization, etc., became in a fantastic form one of the powerful agents in the French revolution. It is in the conception of liberty and of primitive equality that the roots of communism rest. The theory of progression, on the contrary, comes from scientific investigation. The fundamental differences between these two theories is that in one the individual is a social unity while in the other he is a body or group undivided and of common descendance, which is considered the first unity. Social progress on the theory of evolution, is conformed to the ordinary laws of development—that is, that it has been from the general to the particular. If all races have had, as a point of departure, a bestial promiscuity, the history of the family is presented under a more elevated aspect than that which the traditional theory offers; it is a conquest of man. If moral civilization be considered as a consequence of material wealth and of the right of property, the history of which is confounded with that of the progress of the family, civilization in the last analysis reposes in modern times on monogamy, that is to say, on conjugal fidelity. The importance of this virtue of civilization can justify before the eyes of the mother and wife the sacrifices which society requires of woman.

La Vertu Morale et Sociale du Christianisme, par le Comte GUY DE BREMOND D'ARS. Paris, 1890. pp. 438.

The virtue of Christianity signifies its excellence for moral and social life and for the progress of humanity. The principle of superior civilization is not the struggle for life, but disinterestedness, whence arise justice, the first degree of virtue, and devotion, the second degree. This disinterestedness is a characteristic of our species, and raises us above the beast when it is anxiously thought of. All morality founded upon the rival interest of our species leads it back to animality. The social being can not develop its dignity except by reacting against the natural instinct of egoism and of combat, to which the brute simply abandons itself without moral law or free volition. Generous passions can be pleasurable; happiness, devotion, and love can be just. The higher a man rises the easier it is for him to live according to moral law. But the human species will never arrive at perfection—that is, universal and complete devotion. The state of social perfection is an ideal that should always be held up. A wise philosophy should doubt that man, reduced to his sources, is sufficiently robust to maintain the moral task; a Christian should affirm that he is not, and that he has need of grace. However little Christian a philosophy may be, it will not deny the utility of Christianity simply as a doctrine to fortify for struggle. The most recent results of science are far from having made Christianity a beautiful ancient legend; they have rather renewed its youth. The nations of equality and liberty are evangelical fruit. Contemporary history and literature exhibit man as placed between two geniuses—disinterestedness and interestedness. According as he gives way to one or the other he does good or evil.

Les Lois de l'Imitation; étude sociologique, par G. TARDE. Paris, 1890. pp. 431.

In this work the author has endeavored with as much clearness as possible to bring out the purely social side of humanity; abstracting that which is simply vital or physical. But he finds that the point of view, in favor of which he could mark this difference, shows between the social and natural phenomena the most numerous, constant, and natural analogies. This pure sociology is general; its laws are applicable to all actual past or possible societies, just as physiological laws are to all species. The philosophy of history and the philosophy of nature, as generally understood, present the historical and natural phenomena in such a way as to preclude the possibility of a wholly different grouping or succession.

The real is only explicable by being attached to the immensity of the possible—that is to say, of the necessary under conditions, where it swims as a star in infinite space. The idea of law is the conception of this firmament of facts. Certainly all is rigorously determined, and the reality could not be different, its primordial and unknown conditions being given. But why these, and not others? There is irrationality at the basis of necessity. Also in the physical and living domain, as in the social world, that which is realized seems to be only a fragment of that which can be realized. The mind does not admit the relation of cause to effect, except where the effect resembles the cause, repeats the cause; as an undulation gives rise to another similar undulation. Each time that "produce" does not signify to "reproduce," all becomes dark to us. There is only science of similitudes and phenomenal repetitions. (1) All the similitudes in the chemical, physical, and astronomical world have for their explanation and possible cause periodic and vibratory movements. (2) All similitudes in the vital world result from hereditary transmission, from intraorganic or extraorganic generation. (3) All the similitudes of social origin are the direct or indirect fruit of imitation in all its forms—custom, sympathy, obedience, instruction, education, social imitation, or reflective imitation. In short, every social similitude has imitation as its cause.

A social group may be defined as a collection of beings in so far as they are imitated among themselves, or, without actual imitation, in so far as they resemble one another, and their common traits are ancient copies of the same model. Society is essentially imitation. The brain is an organ which repeats sensitive centers, and is itself composed of elements that repeat themselves. Memory is purely a nervous habit; habit is a muscular memory. Thus every act of perception supposes a sort of habit, an unconscious imitation of one's self by one's self. Society is a memory, a habit not individual, but collective. What is the nature of this imitation, of this suggestion that constitutes the mental life? We do not know. For if we consider this fact in its purity we are brought to a phenomenon much studied at present—somnambulism. If one will read the books of Richet, Binet et Féré, Beaunis, Bernheim, and Delbœuf, he will be convinced that it is no fancy to regard social man as a veritable somnambule. The social state, like the hypnotic, is only a form of dream. Sympathy is mutual imitation, mutual prestige, according to Adam Smith; prestige is at the base and origin of society.

From archæological and statistical considerations, history may be defined as a collection of things that have been done most; that is to say, initiatives that have been imitated most. History is the destiny of imitations.

Considered logically or teleologically, (1) internal models will be imitated before external, and (2) examples of persons, or classes, or localities considered superior will take precedence over the inferior, and (3) superiority is sometimes attached to the present, sometimes the past, and is a powerful cause of favor, of a considerable historical influence, as examples of our fathers or of those of our contemporaries.

This imitation from the within to the without signifies two things: (1) That imitation of ideas precedes that of expression; (2) that imitation of purpose precedes that of means.

The classes or nations which are imitated most are those in which imitation is the most reciprocal. A large city is characterized by an intensity of internal imitation in proportion to the density of population and the multiform multiplicity of the relations of its inhabitants. Thus there is an epidemic and contagious character given not only to its diseases, but to its styles and its views. Aristocratic classes were once remarkable for an analogous character, and to an eminent degree the royal courts.

After considering, from the point of view of imitation, language, religion, government, legislation, usages and needs, morals and arts, the author finishes his work with some general remarks and corollaries:

The supreme law of imitation appears to be its own tendency to an indefinite progression. This sort of immanent ambition, which is the soul of the universe, and which is transformed physically by the luminous conquest of space, vitally by the claim of each species to fill the entire globe with its examples, seems to push each discovery or each invention (even the most insignificant individual innovation) to scatter itself indefinitely in the whole social field. But this tendency, when not seconded by logically and teleologically auxiliary inventions, or by the favor of certain prestiges, is hindered by diverse objects. These obstacles are either logical and teleological contradictions, or barriers which a thousand causes, principally prejudices and pride of race, have established between families, tribes, and people. It results from this that a good idea, arising in one of these groups, is propagated without trouble until it reaches the frontiers. But fortunately this arrest is only slackening of pace. War is often more a civilizer for the conquered than for the conqueror, for the former often borrows its ideas from the latter. Each germ of imitation in the brain of the imitator, under the form of a belief, aspiration, or idea, develops into exterior manifestations, into words, actions, which are impressed upon the nervous and muscular systems according to the law of march from within to without. Each act of imitation makes each new act more free and rational, more precise and rigorous. These conditions are the gradual suppression of barriers of caste, class, and nationality; the gradual diminution of distances by the rapidity of locomotion and the density of population. Suppose all these conditions reunited and pushed to the highest degree, the imitative transmission of a good initiative over all humanity would be almost instantaneous, like the propogation of a wave in a perfectly elastic medium. We are hastening to this strange ideal, and already we meet indications in the world of savants, where, although far separated, they touch each instant by mutiple international communications.

Ueber die historisch-ethische Richtung in der Nationalökonomie, von DR. FRANZ BERGHOFF-ISING. Leipzig, 1889. pp. 41.

The author treats in brief of the origin, nature, and results of the historical ethical direction of national economy, in which the whole development of modern political economy is pictured anew. After a criticism of the directions of some of the contemporary political economists, the author concludes that the task of national economy in general can not be solved without the aid of speculative deduction. To say that such deduction has been made obsolete by the historical school is false; for, on the contrary, the importance of classical methods has been increased through the possibility of turning to good account formerly deficient historical and statistical material, in that the insight into the real nature of the concrete relations may give the positive control to the speculative conclusions. The right path lies between these two methods.

LITERATURE ON CHARITY, PAUPERISM, MENDICITY, VAGRANCY.

The relation between crime, alcoholism, and pauperism is so intimate—indeed an unmixed case of any one of them is the exception—that the consideration of one involves all.

De l'Assistance, compte rendu officiel (in extenso) du Congrès international tenu à Paris en 1889. 2 vols., pp. 560 and 774.

The international congress of public relief, of which this is the report, was held under the patronage of the French Government at Paris from July 28 to August 4, 1889. The congress favored the guaranteeing of public relief by law to the temporarily indigent; the provision of medical attendance so far as practicable by the lowest governmental division to which the patient belongs, commune, parish, etc.; the equalization of such burdens among the governmental divisions, so that the richer communes, etc., shall help the poorer, under the general supervision of the state. Destitute children should be placed in suitable families, and the pay of those having charge of them should not be too small. The aid of disinterested women living near where the children are placed should be engaged in looking after them. Legal guardianship of children morally abandoned is to be secured, and in their subsequent treatment some regard is to be had to the circumstances in which they are found. Places are to be provided for the care and instruction of poor children during the working hours of their parents, and special schools for those unsuited for the ordinary schools. Children that can not be rescued by the family method should be placed in institutions where they may receive special training.

The second volume contains the reports of the four subsections of the congress: (1) On public relief in general; (2) on charities for children; (3) on hospitals and home relief; (4) on the insane, the poorhouse, etc. In section 1 it was contended that obligatory public assistance must be justified, efficacious, preventive, and neutral in religion. In section 2 the benefits of dispensaries to children and the public were shown, and an administrative plan for the supervision of guardianship was developed. Section 3 resolved in favor of professionally trained nurses in hospitals and better treatment of them with a view to improving the personnel of this branch, also schools for their training. In section 4 Dr. Bourneville supported the establishment, by the larger governmental divisions, of institutions for defective children. Dr. Kéraval advocated provisional release of certain of the insane, under asylum supervision, for the mutual benefit of themselves and the asylums. At the suggestion of Dr. Magnan the following resolutions were voted: That the asylum should be considered as an instrument of cure and treatment; that aside from the asylum, family care and agricultural colonies should be developed as much as possible, to avoid the embarrassment of the asylums. (3) That the attending physician should indicate the classes of patients who are in a state to receive family care, and that he should have the oversight of the agricultural colonies. At the end of the second volume is a very complete and methodical bibliography of over 300 pages on public and private charity in France and other countries.

Atti della Commissione Reale, per l'Inchiesta sulle Opere Pie. Roma, 1887. pp. 234.

A report from Italy concerning institutions and questions of charity is of special interest, since there pauperism is more typical.

This pamphlet contains the reports of the Royal Commission for inquiry into works of charity in Italy. It gives the deliberations of three sessions. We cite a few of the propositions concerning charity in general that were adopted by the commission: Merciful deeds are subject to all the present laws of the institutions of charity and beneficence, and are to aid the needy both in the state of health and disease, to bestow upon them assistance, to educate, instruct, or forward them in any profession, art, or trade. They are also subject to these laws, when they have in addition an ecclesiastical scope or are established exclusively in favor of persons which profess a recognized cultus in the state. In institutions of a mixed nature, persons or ecclesiastics who have control of them should hold a distinct administration and make a separation of returns and of patrimony in such a manner as shall be recognized as useful and opportune. But private estates administered by private individuals or in the name of a family, and exclusively intended for the benefit of one or more families designated by the founder, are not subject to the above-named laws. The same is also true in case of committees of aid and institutions, maintained by the temporary gifts of private individuals.

The report has, in full, the plan of the laws for the administration of charity, and is valuable for reference. The discussions of the several members of the commission are given somewhat in full.

Armenordnung fur die Stadt Elberfeld. pp. 30.

The "Poor Regulations" for the city of Elberfeld date from July, 1852. Elberfeld is a place of 119,200 inhabitants, situated in Rhenish Prussia. It is one of the most important manufacturing towns of Europe.

Here a systematic, practical, and we may say almost scientific method of treating the poor has been carried on for years. Some points in their book of regulations may be of value.

The city administration for the poor consists of a president, four city delegates, and four voting citizens, which are elected for three years by the municipal assembly. The city poor administration has the care of all the needy who raise a legal claim for aid from the civil community. As regards the care of such poor not received in the city institutions, the administration is supported by 220 district directors and 308 overseers. As regards the administration of the city institutions for the poor, it is supported by a specially chosen administrative deputation. Every overseer is assigned to a certain ward of the city according to house numbers, and every director to one out of 14 wards of the existing district. The overseers of every district meet regularly and at least every fourteen days with the district assembly under the presidency of the district overseer or his representative. Every request for aid out of the city's means must be brought by the overseer of that special ward from which such request comes, who must make a careful personal investigation into the conditions of the solicitor. All the city institutions for the poor and the sick are under the supervision of a special administrative deputation. They are the poor house, orphan asylum, institution for deserted children, hospital, place for epidemic diseases, and insane asylum. Members of this deputation are elected every three years from officials and citizens.

Those who are needy and capable of work, so far as they are not assisted by others, must be aided by the city. The money requisite weekly for a wholly dependent family, including food, shelter, clothing, and furniture, is as follows:

	Cents.
For the father	75
For the mother	50
For a child over 15 years	50
For a child from 10 to 15 years	45
For a child from 5 to 10 years	33
For a child from 1 to 5 years	27
For a child less than 1 year old	20

That is, about $3 a week for a family. Each overseer should not as a rule have charge of more than four poor (single or head of families).

The influence of this organization has been very wide. Many cities in Germany have made the Elberfeld system its model. The following are some figures taken from the report of 1888–'89:

Elberfeld.

Year.	Expenses.	Population.	Cost per citizen.	Average number of needy helped.
	Marks.		*Marks.*	
1853	70, 651. 75	50, 418	1. 40	....
1863	63, 211. 85	59, 774	1. 06	545
1873	70, 379. 03	78, 000	. 90	437
1882–'83	150, 633. 56	99, 100	1. 52	829
1887–'88	166, 221. 94	113, 000	1. 47	840
1888–'89	161, 706. 01	119, 200	1. 36	844

Der Berliner Asyl-Verein für Obdachlose. Berlin, 1882. pp. 71.

The first asylum for this society was built in Berlin in 1868. The purpose was to furnish shelter to those without it, and to aid such persons in obtaining employment. The principal work is to provide shelter for a night or few nights. Some of the rules are: The asylum can not be used by the same person oftener than three times a month. Every one on entering must wash his hands and face. All card-playing, smoking, and drinking is expressly forbidden, the penalty being immediate expulsion. From 1869 to 1881 inclusive, 214,313 women and children were cared for, averaging 46 per night, at a cost of ten cents a person, making the whole expense $21,201.12. During the same period 871,507 men were cared for, averaging 215 per night, at a cost of five cents per person.

Der Centralverein für das Wohl der arbeitenden Klassen. Bericht über seine Entwickelung und Thätigkeit von 1844 bis 1883. Berlin, 1883. pp. 15.

The second half of the nineteenth century, after a series of bloody wars, seems to be called to the solution of social questions. The principal aim of modern statemanship is to further the well-being of the masses. Society and all its members are to work with the state. Employers are not merely to appropriate technical progress and utilize the forces of nature and capital, but are to strive towards a moral ideal. They are not to produce goods only, but to make men happy. Such in general are the ideas of "The Central Association for the Well-being of the Working Classes," at Berlin. The right of corporation was granted to this society in 1848. The association through experience has found that its purpose is not so much to lead or to regulate, as it is to quicken, to mediate, to gather together. One of its practical aims is the founding of healthy and suitable dwellings for workmen, air, light, and warmth being the main considerations.

Das System der communalen Naturalverpflegung armer Reisender zu Bekämpfung der Wanderbettelei, von CARL HUZEL. Stuttgart, 1883. pp. 114.

The author considers the system of communal care of vagrants, having principally in view the past experiences of Würtemberg.

The organization of this society in Germany was enlarged in 1882. There were two systems, one, the "Community System," where there was a station for food and shelter for the night; the other, the "Station System," where they were farther apart, from 5 to 10 miles. The vagrants or tramps were warned, through public placards, from begging or looking around, and were invited to apply to the local overseer or to the next relief station. There is no special way of relief or manner of giving it common to all the districts, except that no order is given for alcoholic drinks. The city of Herford has a model system for treatment of tramps. The following are some of its rules: No money is given out. Work is provided, which everyone who receives a ticket of aid must engage in. Tramps do not like this method, but this fact rather recommends it.

The Poor Law, by T. W. FOWLE, M. A. London, 1890. pp. 175.

"Poor" may refer to those who are actually destitute, or those who would be so were it not for manual labor, which constitutes their property, and is the chief source of the wealth of mankind. "Poor" in the sense to excite compassion has hitherto been used only for those who can not labor, but to call those poor who must labor or the world can not exist is to trifle with the condition of mankind. "Indigence" is the state of a person unable to labor, or unable to obtain in return for his labor the means of subsistence. Poverty is used to describe the state of one who, in order to obtain a mere subsistence, is forced to have recourse to labor.

In all countries the same kind of difficulties concerning the support of the indigent have been encountered, the same sort of remedies tried, and the same painful and disappointing experience gone through.

There have been two reasons why the poor laws are a necessary part of social organization: one is that all men have a natural right to the means of subsistence; the other is that society is compelled, in the interests of its own self-preservation, to take some care of destitute persons. The good of the community and not the rights of individuals is the legitimate cause of legal provision for destitution. In all countries poor-law legislation has been devised to meet certain plain and growing evils that were endangering society. Moral or humanitarian considerations are as necessary to the well being of society as material or economic conditions, and would establish a system of state relief even if it could be shown that, as a matter of policy or economy, no such relief was needed. By whatever name we choose to call the process, relief must come at the cost of the community. This law may be expressed in these terms: "That every society, upon arriving at a certain stage of civilization, finds it positively necessary for its own sake—that is to say, for the satisfaction of its own humanity and for the due performance of the purposes for which society exists—to provide that no person, no matter what has been his life or what may be the consequences, shall perish for want of the bare necessities of existence."

This principle gave rise to the system of state relief. It teaches that in the higher and more delicate types of social organization, what we might call the moral life of the community is incompatible with the spectacle of unrelieved indigence. Individuals of the higher classes do not desire to have their natural feelings of humanity and kindness shocked. How can men enjoy life when they know their neighbors are starving? Of nations, as of men, if they have not charity they are nothing.

The actual condition of things out of which this feeling of humanity struggled into existence was the embarrassment felt in punishing with severe penalties vagrancy and mendicancy, or even crime itself, without affording some assurance that the bodily wants, which drive persons to these courses were not altogether provided for at the public cost. As the social convenience became more mature, there was a dim and indistinct feeling that pauperism and crime could not be laid to such individuals so much, for it had, to a large extent, grown out of the selfish neglect or mischievous ignorance of the nation itself. So it is with the evident injustice from state interference with the work and wages of the laboring classes, and from state noninterferrence with their dwellings and surroundings. The idea of the natural operation of humanity, as a thing due from society to its own self respect, is to be found as the principle of poor-law administration in all countries. Every destitute person has a right to relief, not because his miserable condition gives him a title to it (an obsolete idea suitable only to primitive stages of social growth), but because the state has made for its own purposes a contract to stand between its citizens and death by starvation. The motive of state relief is primarily and chiefly the welfare of the giver; but the motive of private charity ceases to be charity if the giver puts his own comfort or interests higher than the needs of the recipient. Hence there is no such thing as legal charity, and we are not to look to a system of state relief for moral graces, such as gratitude from the recipient or liberality from the official giver who dispenses other people's money. At present the true statement of the case would seem to be that the selfishness of the upper classes took advantage of the growing spirit of humanity, and made a kind of tacit bargain with it whereby, upon condition that localities provided for the relief of the "impotent," they were authorized to reduce the able-bodied laborer to a state of practical slavery under the idea of setting him to work. Thus compulsory provision for the impotent and for setting to work the able-bodied is a description of the origin of poor-laws in England.

As to the legal relief of the poor, the condition of the pauper is less eligible than that of the independent laborer, otherwise the law destroys the strongest motives to good conduct, steady industry, and frugality among the laboring classes. There should be relief for the destitute, but so that their condition shall be worse than if they had taken pains to support themselves. But there are deteriorating effects which can not always be met by measures directed against abuses by individuals, partly because when the state has interfered between men and the natural consequences of their own behavior it can not help being drawn into further measures on their behalf. Thus another object arises, which is to prevent the pauperizing effects of state relief by measures calculated to raise the condition of the working classes.

While the attempts to classify poor laws according to the systems of various nations are of doubtful value, yet there is a broad distinction between the Teutonic or Scandinavian and Protestant nations of the north and the Latin or Catholic nations of the south. Before the Reformation there was no poor law at all, but only a series of enactments horrible in their revolting severity against pauperism, especially in the form of vagrancy, and another series more detestable against the rights of free labor. The indigent and miserable were left to the care of the church. For a survival of mediæval arrangements we must look to the Turkish Empire, in which (Mahomet having exhorted his people to show kindness to the poor, not to oppress the orphan, nor repulse the beggar) poor relief is still expressly associated with religious institutions. At the time of the Reformation the altered relation between state and church and the conception of a national church caused the state to take some of the functions of the church, so that we find a command from the state that each parish should maintain its own poor. In southern Europe, however, things remained the same until the French Revolution, after which there resulted what may be called an organized charity, with each local commune for the area of administration, which has spread until it is the present state of things.

The poor fund is raised in many ways. Norway levies a tax on cards, spirits, and beer; Leipzig sends around subscription collectors; Austria confiscates part of the property of Catholic clergymen who die intestate; Rome demands a contribution from newly created cardinals; France benefits from burial grounds, theaters, pawnshops (so also in Italy), and lotteries; Greece makes much out of the sale of candles, and to crown the list, it is said a single caged nightingale pays five thalers a year to the poor fund at Elberfeld.

The causes and conditions of indigence are everywhere the same and produce the same classes of pauperized persons:

(1) The impotent, who suffer from no fault of their own: (*a*) constitutionally infirm, (*b*) imbeciles, (*c*) fatherless children.

(2) The impotent, who might have done better: (*d*) the aged, (*e*) permanently sick, (*f*) lying-in women (unmarried).

(3) The able-bodied out of work: (*g*) from lack of employment, (*h*) from temporary illness, (*i*) insufficient wages.

(4) Able-bodied, who prefer idleness: (*j*) mendicants and (*k*) vagrants.

(5) Able-bodied widows, who can not maintain their families.

Methods of relief are—

(1) Indoor (generally for the impotent), comprising (*a*) poor houses, (*b*) hospitals, (*c*) asylums, (*d*) schools including reformatories, (*e*) vagrant wards.

(2) Outdoor re[illegible]ading (*f*) gifts of money, (*g*) gifts in kind, (*h*) giving of emplo[illegible], (*i*) apprenticing of children, (*j*) medical attendance, (*k*) burial, [illegible]nd (*l*) boarding out (partaking of outdoor relief some).

From a comparison of facts, there is a growing conviction that the amount of pauperism depends not upon the circumstances of the working classes, but upon the facility with which help may be obtained. Belgium, where the communes possess the largest charitable resources, has the most paupers; Luxembourg, with next to no resources, has also next to no pauperism.

Repressive measures (chronologically arranged) have been: (*a*) Punishment, now confined to vagrants, imposters, and incorrigibles; (*b*) settlement, or the first limitation of the conditions upon which relief was given; (*c*) compulsory maintenance, including payments by friends or repayments by pauper himself.

Direct repression includes: (*d*) House test, (*e*) labor test, (*f*) correctional houses, (*g*) criminal punishment, (*h*) investigation.

As to remedial measures, although the theory of legislation is to raise the working classes above the need of pauperisms, the practice of those engaged in the work is rather the elevation of the physical and moral condition of the indigent, their operations being confined to the giving of relief.

The difficulties, faults, remedies, and statistics for the last ten years have been about the same. Comparing returns we have:

	Expenditure.			Paupers.						Per cent of population (in 1,000).
	Aggregate.	Per head of population.		Indoor.	Outdoor.	Total.	Able-bodied.	Lunatics.	Vagrants.	
		s.	*d.*							
1880	£8, 015, 010	6	3¾	180, 817	627, 213	808, 030	115, 785	63, 470	5, 914	31. 8
Report for 1889	8, 440, 821	5	11¾	192, 105	603, 512	795, 617	98, 817	75, 581	7, 058	27. 8

As to outdoor relief, Dorset has 48.4 per 1,000 (the highest), and yet this is an agricultural county. This shows alone that bad times, high prices, are as nothing compared with the effects of good and bad administrations in causing poverty. As surely as the death-rate depends upon sanitary administration, so surely does pauperism depend upon the way in which the guardians discharge their duties. We can not destroy pauperism any more than we can death, but we may reduce it to a minimum.

As to boarding out children, the great majority of foster parents take them for the sake of profit.

The poor law affords to man, *qua* destitute, a maintenance under conditions lowering to his humanity. Socialism claims for each man, *qua* human, a full share in the common good. There is no abstract reason why socialism may not be right, but if it works by poor-law agencies it is a contradiction in terms.

Children of the State, by FLORENCE DAVENPORT HILL, edited by Fanny Fowke. London, 1889. pp. 370.

The editor says that increased opportunities have shown that the scheme of boarding-out pauper children, which is advocated, is the dominant system in many countries.

The criterion by which the value of different methods of training state children should be estimated is the greater or less excess in obtaining those three objects: (1) Of depauperizing the children by enabling them to take their place on an equal footing among the well educated of the laboring classes; (2) of securing to them the friendly interest of persons able to afford protection and advice in their temptations and difficulties; (3) of affording such conditions of happiness in childhood as are consonant with justifiable expenditure from the public purse. The more the life of pauper children differs from that of the work-a-day world, the more difficult do they find it to adapt themselves to the world, when they enter it to earn their living. Thus an establishment with a large staff of officers, etc., can not rightly prepare its inmates to take and hold their place among our working classes. Pauper children, just as prisoners, need better food than free children to keep them in health and strength. The low death rate of pauper children is misleading; for infants, during the period of life when mortality is highest are excluded, while children suffering from mortal diseases are retained in the workhouse infirmary. In the pauper schools they are dismissed at fourteen; no home being offered them, they ought not to return to their early associations; but here is a radical defect of state guardianship through pauper schools. The constraint of the schools, lack of satisfaction of childish tastes, absence of variety, fresh experiences, and discovery, nature's educational atmosphere, and the frequent "please let me go home," indicate the defects in such institutions, which are a heavy financial burden to society and do not fulfill their purpose.

The boarding-out system is the most natural, and although not without difficulties (often exaggerated) is the one that gives the best results.

Histoire des Enfants Abandonnés et Délaissés. Paris, 1885. pp. 791; *De l'Assistance des Classes Rurales au XIX^e Siècle,* par LÉON LALLEMAND. Paris, 1889. pp. 164.

This first work on the history of abandoned children is a prize essay crowned by the "Academy of Moral and Political Science" at Paris. The subject given out by the "Academy" was: "Concerning the protection of infancy in regard to children found and assisted, or abandoned by their parents." "To inquire how, either in antiquity or among modern peoples, the problem has been determined. To indicate what would be the best means of solving the same to-day.

In primitive civilizations it was a general custom to offer children as sacrifices. The Greeks and Romans made utility to the state and family the criterion. Is the newly born of robust appearance? Does the father desire descendants? The child is preserved. The feeble were killed or exposed, especially the girls, because the boys could inherit property and continue the worship of their ancestors. Children were sometimes saved after a war, because of the fear of want of slaves. Some were sold at birth for future prostitution.

But the church interfered, and its benevolent action was more and more efficacious. Hospitals were opened for the abandoned. Such institutions were not known in the Occident till perhaps the eighth century. Later the feudal system, notably in France, assured the existence of abandoned children. From the twelfth century on, hospitals increased rapidly in the east of France, in Italy, and Germany.

In the sixteenth century there was a marked change. Those countries remaining Catholic supported their foundling hospitals as before, but among the Protestants such institutions were not so well supported as before, for the riches of the clergy and the poor had been thrown to the winds, so that the work fell upon the communes or parishes, and children abandoned were confounded with the mass of indigent.

Thus modern nations are separated into two fields as regards the organization of aid for children. The Catholics follow the ancient rules with variations in details. Yet at present there is a tendency to unification in all countries as regards measures for assistance.

It is a fact among all nations that the majority of the infant population given public assistance belongs to the category of illegitimate children. First, then, these must be reduced if the number of foundlings is to be lessened. Second, the maiden mothers must be furnished the means to bring up their children without recourse to public assistance. Third, the number of natural conceptions should be restrained. Society should keep the secret when one implores; in other cases (the most ordinary) society should make her voice heard before every attachment is broken between mother and child, and whenever a woman has decided to abandon a child, the interest of the little one requires that society take charge of it. Maiden mothers, upon whom it is necessary to impose aid, who have no desire to bring up their children, but rather sell their food, letting the children die or bringing them up in vice, should not be allowed to take care of their children. It is much better that a nurse, under the care of the administration, take the child in charge.

The author classifies children receiving public aid as follows: (1) Natural or legitimate orphans; (2) abandoned legitimate children; (3) children of parents in prison; (4) nurslings whose nurses are no more paid, often on account of the disappearance of the parents; (5) children of women publicly leading a fast life.

In the second work on the "Assistance of the Rural Classes" the author makes it the duty of governments and of private individuals to struggle without mercy against the attacks of pauperism, which gnaws and destroys nations. Direct means are unavailing. One must go to the source of the evil. The popularizing of moral and religious beliefs, a wise administration of the public funds, the natural patronage of the well-to-do permit the working classes to live without the shocks of social agitations and assure a progressive amelioration, which sudden convulsions are powerless to bring about. Preventive means are therefore above all others. There should be one object, and that is the

Christian organization of democracy. To-day a transformation is being prepared. The twentieth century will have to solve the definite coming of the working classes to the direct exercise of power. The earth and men are emancipated always according to reality. Industry departs slowly from a chaotic state. The soil belongs more and more to him who cultivates it. The time must be hastened when the machine shall belong to the laborer. This imposes upon us to avoid bloody struggles. Personal passion and interest can only give fatal advice. Each false move causes misery to thousands and increases the difficulties of the future.

Legal charity presents immense dangers; it annihilates all initiative in the poor, creates families, almost fatally inscribed, from father to son, on the roll of charity; and in face of the right to work and the right to aid, we have proclaimed that the alleviation of indigence constitutes only a moral duty for society.

Those who bear the burden and heat of the day, to whom we owe our daily bread, have a right to all our compassion. This thought has constantly guided us, for we have seen the aged workers of agriculture exposed to die from misery upon a squalid bed, after they had dug the earth for forty years.

Accidental mendicity caused by special circumstances is no crime, but for habitual mendicity graduated penalties are necessary. Socialism will not be escaped nor misery diminished until there is a regular exercise of political and social liberty with respect to the imprescriptable rights of divinity. The experience of centuries confirms the universal truth: *Nisi Dominus ædificaverit domum in vanum laboraverunt qui ædificant eam.*

Twelfth Annual Report of the State Board of Lunacy and Charity of Massachusetts. Boston, 1891. pp. 289.

Not only in America, but in Europe, the State of Massachusetts is considered the foremost in its methods and institutions for charity. But a reputation for kindness towards the poor is liable to suffer from imposition in the case of a State as in an individual. This fact is illustrated in the report for the last year. Nearly half a million dollars annually are spent upon needy persons who, from various reasons, fail to acquire a settlement within the State. The report would indicate that this fact was a temptation for neighboring States to evade their just duties to the poor who belong to them; it recommends for settlement of differences between Massachusetts and neighboring States as to the disposal of professional paupers, who migrate from State to State, and of the worthy poor without settlement, that the legislature institute a commission to consider the whole subject.

A secondary recommendation is that Congress be "invoked to protect the several States from the transportation into their territories from sister States of passengers, who are convicts, lunatics, idiots, or unable to take care of themselves without becoming a public charge."

A few varied facts in the report are: Thirty thousand eight hundred and two immigrants arrived at Boston within the year, 12,010 of whom had no occupation, and 21,300 were destined for Massachusetts. A question of some importance is the disposition to be made of cases of unmarried pregnant women coming from Great Britain and its American dependencies, many of whom have their passage money paid by interested persons, the burden of their support being thrown upon the State. Out of a total of 404 sane women provided for by the State, 143 were thus cared for because of illegitimate pregnancy. Of these, 14 were born of American parents in the United States, 12 in the United States of foreign-born parents, and 117 were born in a foreign land. Girls above the age of 14 years, whose unchaste tendencies seem almost impossible to overcome, should not be placed at service in families unless the influences of their own homes are absolutely corrupting. Of the 4,287 notices received on account of the sick State poor, 78 were cases of disease dangerous to the public health, covering 197 forms and 104 patients. These notices were sent from 30 cities and towns; 20 being cases of smallpox, 13 scarlet fever, 24 diphtheria, 14 typhoid fever, 1 case of leprosy, and 4 of measles. Seven of the cases were fatal. So-called adoption is a serious evil in connection with baby farming. The ordinary procedure is to put an advertisement in a newspaper, or the information is spread in different ways, that infants are wanted for adoption at such a place. Children, presumably illegitimate, are brought in large numbers and a fee, generally from $10 to $25 in each case, is paid by the mother who signs a document purporting to be a release of all claim to the child. That is the last the mother ever knows or can know of the child. The infant is disposed of in various ways. Sometimes it is given to the first person who will take it; but more frequently many are probably the foundlings which the State has been called upon to support. It is believed also that many, if not most of the dead bodies of infants, found in the streets, parks, sewers, etc., come in this way. It is recommended that further legislation put a stop to procuring so-called adoptions by irresponsible persons. The number of good families applying for young children to adopt is still in excess of the number of children eligible for adoption. More applications for infants to board are received than can be supplied. The entire amount expended for outdoor-poor relief during the official year was $98,656.86. Evidence shows an increase of insanity in the State out of proportion to increase in the general population; the actual number of insane under observation was 5,652. Twenty-eight thousand four hundred and ninety-five tramps were lodged at almshouses throughout the State at an expense of $6,370.76; their disposal is a serious question, their presence is a decided injury to the almshouses. Some historical facts may be mentioned: In 1764 the town of Boston declined to accept a legacy "for a convenient house for unhappy persons as it shall please God in

His providence to deprive of their reason;" in 1818 McLean Asylum was opened; the first establishment undertaken by the State was the Worcester Hospital opened in January, 1833. The inmates of the pauper department are, with few exceptions, aged, infirm, crippled, or otherwise physically unable to assist in farm work or other manual labor.

The average number of paupers fully supported of the city and town poor is 8,629; the whole number fully supported is 13,099; the whole number partially supported is 45,487, and the total expenses reported is $1,805,641.

Die deutsche Armengesetzgebung und das Material zu ihrer Reform von DR. EMIL MUENSTERBERG. Leipzig, 1887. pp. 570.

Although the author treats of Germany especially, he has nevertheless given one of the most systematic presentations of the whole subject of poor-law legislation. The work is divided into three parts. Part 1 takes up a review of the literature and statistics and of the historical development of poor-law legislation in Germany. The general presuppositions of such legislation and its relation to voluntary care for the poor are considered. In the second part the financial and sociological effects of the prevailing legislation are described. The third part contains a presentation of the present attempts at reforms.

There is no factor in social or political life, which if directly or indirectly connected with a system of poor laws might not be of influence upon the extent of indigence and its remedy. Those who seek for help should be made conscious that they are aided not because they desire it, but on account of the general good; and therefore they should not *demand* support, but *ask* for it.

There are four different points of view in regard to the acquisition and loss of support for an abode: (1) Those who think the short terms the principal cause of burden to the community, recommend a long time for acquiring an abode; (2) those who on the contrary consider such acquisition as the greater evil; (3) those who are inclined towards the home system, and so far as this is unattainable desire longer times for the loss than for the acquisition of a domicile, so that anyone who has already for some time been absent from the community in which he previously had a domicile does not immediately become land poor on account of a new acquisition, but holds for a time the former abode; (4) those who desire the introduction of the home principle, preferring the Bavarian term of five years for acquiring a home. Some would have the additional qualification of voluntary payments.

However much friends may differ in regard to poor-law legislation, there is a general agreement that a bad law and good administration are always better than a good law and poor administration. For in no domain more than in this are human weaknesses, both on the part of giver and receiver, so liable to thwart the very purpose of the law. In aiding individuals the main question is: What kind of support is best adapted to the particular conditions of the needy who are capable of working? In such cases support should be given only for work performed.

The author emphasizes throughout the book the necessity of a thorough study and treatment of each case. Thus with the pauper, as with the criminal, the general utility of the individual method is confirmed.

Stenographischer Bericht über die Verhandlungen der zehnten Jahresversammlung des deutschen Vereins für Armenpflege und Wohlthätigkeit. Leipzig, 1890. pp. 152.

The conclusions of the tenth annual meeting of the German Association for Charities are: (1) It is an opportune arrangement of university clinics, for the careful training of physicians in psychiatry, to make possible and safe a rational treatment and practical control of the acute, incurable, and harmless insane who are dismissed from the asylums; (2) new State insane asylums should be built as agricultural institutions, on the pavilion plan, in such a way as to have a smaller central building, which should be made according to the plan of modern insane asylums, and consist of the necessary reception, surveillance, and hospital divisions, specially separated yet in convenient connection, according to the open-door system of the industrial and agricultural colonies for the sick who are trustworthy; (3) for incurable harmless patients who do not need the care of an asylum, where restoration to home relations is not possible, or for medical reasons is not feasible, the so-called system of family care of insane is to be recommended as an annex to the present insane asylum; (4) incurable and sickly patients and those incapable of work should be put into the charge of agricultural institutions or infirmaries.

Régime et Législation de l'Assistance Publique et Privée en France par LÉON BÉQUET. Paris, 1885. pp. 397.

The object of this work is to make known the organization of charity in France. The following are the general ideas underlying this organization:

Misery is not an accident of yesterday; it is born with man; it clings to original feebleness, to accidental infirmity, to spontaneous vice, to persistent improvidence, which will not be cured until the time (if that ever arrives) when by natural selection man shall be born and remain strong, healthy, industrious, and economical. If the extinction of misery can never be assured, the alleviation of the evil may be sought after. The ancient Homeric heroes, though cruel to their enemies, were charitable to their patients, and it was with whole quarters of beef that they appeased the hunger of the wretched.

The principles of French legislation as to charity were adopted by the national assembly in 1789. Charity was here considered as an inviolable and sacred duty but this social duty had as its correlative the duty of each individual to work. The poor who were able-bodied had only a right to that which was strictly necessary for existence; if the state or society refused this it was guilty. The sick invalids alone had the right to complete support. For, if it is the duty of each man in society to contribute to the subsistence of him who does not earn his living, every contribution required by society beyond indispensable necessities becomes a violation of property and consequently an injustice. These principles serve as a basis for modern legislation in the different branches of charitable work. A principle formally decreed for the first time by this assembly is that charity is a charge of the entire nation, and above all a charge of the fraction of the nation in the midst of which the individual lives who seeks aid.

French society is a vast family, and the duties of solidarity are in proportion to the ties of life and common interest. According to the French civil code assistance should come from the natural family first, and in case of failure, successively from the commune, province (*département*), and state.

Has the pauper a right to aid? Yes; for the social contract gives every man a right at least to bare subsistence. Without doubt, also, man agrees to work by this contract; but if work can not be found and he is without any resource society should find him work or give him subsistence, but being able to sell his right to live, society must assure him of this right. This duty of society is based on justice rather than on charity. But it may be said that man unites with society not to assure his subsistence, but to protect it; as long as society guarantees material security it does its duty. If society were obliged to assure subsistence, it could force each man to work; but forced labor involves the denial of individual liberty. Now the social contract does not permit the alienation of liberty. Man is free to work or not, and if he voluntarily refuses to work society is not bound to support him. If the individual desires to but can not work, society here also is not bound to give assistance, because the contract only assured material tranquillity and freedom of action.

This last point of view really says that the society of which no duty can be required is not bound to aid each one of its own members to exist. But the trouble with this sort of argument is that a contract needs to be expressly assented to. These contracts do not constitute natural laws, but are conventional. They do not create rights. Man is in society to assure his existence, not to defend it.

Die christliche Liebesthätigkeit in der alten Kirche. Stuttgart, 1882. pp. 421; und *Die christliche Liebesthätigkeit im Mittelalter.* Stuttgart, 1884. pp. 529; von G. AHLHORN, Dr. theol.

While the most that is written about charity is not distinctively from the religious point of view, yet the most that is done comes from the efforts put forth by the church.

These two works are a historical and popular treatment of charity from the religious point of view. In his first work the author considers charitable institutions of the ancient church, adding many general principles based on biblical grounds. In the second book he treats of similar institutions in the middle ages. The workers for charity with unbroken yet crude powers took the places of the ancient church workers. It was the task of the church to educate them. Hospital and cloister were secondary to the house of God. In the hospital it was love; in the cloister, work. The church made no difference between Germans and Romans. For the Romans' charity was an old custom, but a new enterprise for the Germans. The cloisters were everywhere the starting point of a new culture in which Christianity took deeper root than in the Romish Church. The church life of the middle ages developed into fullness what was already present in germ. It took the ethical view of riches and poverty. No time has done so much for the poor as the middle ages. But it brought with it a one-sided and unhealthy development of tendencies already present. The communal care of the poor went fully under; all charity became regulative; in the place of deacons were monks and nuns or the members of orders; one-sided regulative, it became also one-sided churchly. The church was the ground of all alms giving, all stipends, all self-denial, the only welfare of the soul. The change is complete; man gives and serves no more in order in Christ to serve and help the poor, but to gain for himself and his own a higher degree of blessedness and deliverance from purgatory. The result was poverty was not opposed, but cared for, and with all the rich gifts and endowments the church was not master. The middle ages show that, like the whole Christian life, charity no more sprang from the gospel, but was influenced by foreign, Judaic, and ancient elements. It was the Reformation which led back again to the original sources that made alive again the pure Christian thoughts of riches and poverty, of prosperity and alms, of work and calling. These thoughts are far from being worked out at present; the church at present is behind according to the knowledge that has been given it. It has yet to realize again the evangelical thoughts on charity and the poor in connection with calling and work, gain and prosperity.

L'Assistance Publique en Allemagne, par P. A. LE ROY. Paris, 1890. pp. 134.

At the end of the Middle Ages the feudal lords took care of their vassals. But in Germany, from the time of the Reformation, the church, deprived of a great part of its riches by the Protestant princes, became powerless. From this time the legislation of the different states imposed upon all the communities the burden of public relief. However, the right to aid rested subordinate to naturalization. The communities were therefore protected against new arrivals. The year 1866 put an end to this régime. Prussia, having become the ruler of Germany, endeavored to unify it. In 1867 William, King of Prussia, in the name of the German Confederation, promulgated the law. The law of circulation and residence (Freizügigkeits-Gesetz) confers upon every German, whatever be his origin, the right to circulate, establish himself, and to practice any profession in any part of Germany. This law accelerated immigration from the country into the city. In 1870 there was the federal law, which had for its object to prevent the increase of expenses for charitable purposes. But the expenses kept increasing. At last, in 1883 and 1884, obligatory insurance offices against diseases and accidents at work were founded, giving to the exclusive charge of workmen and patrons, all the expenses coming from such causes. This ingenious way of taxation without opposition is to be noted. None of these expenses came upon the state or community. The law fixes the minimum of aid much superior to that given by municipal charities called unions for the poor (*Armen verbände*).

The author shows clearly in what way German legislation solves the problem of responsibility in cases of accidents to workingmen, and how ingeniously it has united patrons and laborers, deciding what are their relative expenses, and what payment is due to the victims of accidents. The author was appointed by France to study German methods of charity, and this book is the result of his study.

Reports and Papers of the Seventeenth National Conference of Charities and Corrections. Baltimore, 1890. pp. 53.

There are seventy-eight societies in the United States operated wholly or partly by charity-organization methods. The prospect of more general interest in charity organization is not encouraging. Statistics of twenty-six of these societies, which seem sufficiently reliable, show as a result of the year's work, 5,821 cases of unnecessary or undeserved relief; 1,560 frauds suppressed, by which 1,807 families were made independent of relief of any kind. It cost $23.32 each to ferret out these frauds and to prevent the unworthy from obtaining assistance; on the same basis it cost $95.27 each to make the 1,807 families self-supporting. The cost for work with all classes was $18.74 each. Mr. Atkinson's figures of the difference in economic value between a wage earner and a pauper will show that from the business standpoint charity organization is a financial success.

Many societies which disburse relief in large cities do so rather from fear of the odium which first attaches to any nonrelief-giving society working under the name of charity; yet a charity organization society will succeed best which gives no relief. Relief giving of a central society eliminates the contact of giver and receiver, the very thing which organized charity tries to produce. Nothing is more unfortunate in a little town than the undue multiplication of charitable enterprises. There is a decided need for reliable statistics, that scientific charity may be forwarded.

As there are 227 American cities of upwards of 10,000 population, this would make 149 engaged in charitable work on the old method, which probably makes paupers as fast as the 78 other cities suppress them. Twenty-four societies show among paupers 44 per cent of American birth, mostly coming from small communities where no scientific methods exist. The large cities have enough with their 56 per cent of foreign paupers without having the home-grown come to them also. The American pauper should be cared for where he originates. Scientific methods must cure the evils in small communities.

Proceedings of the Sixteenth Annual Convention of the County Superintendents of the Poor of the State of New York. Fredonia, 1886. pp. 141

Superintendent McGonegal, of Monroe County, in his report of the committee on the prevention of pauperism, says that entire prevention of pauperism is impossible, for there are many conditions tending to make people dependent upon the more fortunate class for the necessities of life. Others become dependent from circumstances not only not under their control, but which no amount of discretion, caution, or economy could have prevented.

The main causes of pauperism are: (1) Intemperate use of alcoholic liquors; (2) importation to this country of foreign paupers and criminals; (3) injudicious manner of giving outdoor relief; (4) scarcity of employment for the laboring classes during the winter seasons; (5) encouragement given to tramps by being fed and lodged at the public expense.

As to prevention, the first cause, probably producing directly or indirectly nine-tenths of all the pauperism, is practically such an extensive one that its removal would almost empty our almshouses. There is little encouragement in working for confirmed drunkards or chronic paupers. The only prospect of success is with children and youth. The more odious drunkenness and pauperism are made in the eyes of children the better. Liquor, so much in quantity, brings so much money and consequent political power, that to overcome this cause seems at present impossible. European nations, especially England, have availed themselves of the opportunity of sending us their vicious, indolent, and paupers. It has been well advertised throughout Ireland that the Government would furnish free transportation to America, and agents were sent around; on this side they were given money by English agents to enable them to scatter into different localities to avoid being returned as paupers. In Monroe County 60 per cent of the paupers are foreign-born. Those out of work in winter should be given work rather than provisions by the State. Feeding of tramps is not only expensive but dangerous, as they commit all sorts of depredations. They should be arrested, examined, and put in the almshouse or penitentiary.

Poverty and its Relief in the United States of America. By DR. P. F. ASCHROTT. Baltimore, 1890.. pp. 17.

The author, who is well known for his book concerning English poor laws, treats also questions of charity in America. In speaking of America's experience as viewed from a German standpoint, he calls attention to the transformation of outdoor relief and the changed treatment of poor children, because these are two points in which the organization of public and private charity have shown their usefulness equally in all States. The poor relief in the United States has a practical interest for Germany. In England, as in America, there is a tendency to centralization, but there is an inclination to give as much freedom as possible to local boards for poor relief. This fact should aid Germany, or at least Prussia, in the establisment of a central board. America has surpassed England in regard to private charity as a factor in carrying out improvements in the department of poor relief. The need of centralization and organization of private charity is growing more and more pressing in Germany.

Notes on the statistical determination of the causes of poverty. A. G. Warner. American Statistical Association. March, 1889.

The following are some of the conclusions of the writer: The method of case-counting is likely to exaggerate subjective influences as compared with objective; thus the immediate cause of poverty may be deterioration of character, the primary cause environment. Confusion arises also from the fact that under exactly similar conditions some families are destitute and some not. From Mr. Booth's statistical tables of East London we find that casual laborers comprise but 4.8 per cent of the whole population, but more than 41 per cent of "the very poor;" that families having female heads include 3.7 per cent of the whole population, but furnish more than 11 per cent of "the very poor," and more than 6 per cent of "the poor." Mr. Booth says that intemperance is a contributing cause in many cases where it can not be reckoned the principal one; that the poverty of the poor is mainly the result of the competition of the very poor. The entire removal of this class out of the daily struggle for existence is the only solution of the problem of poverty.[1] Turning to our own country, Mr. Kellogg, from figures gleaned from the reports of about forty charity organization societies in our leading cities, finds in New York and Boston that the percentage of those needing work, rather than relief, has been 53.4, and of the unworthy, 15.8. One-third of the cases actually treated were in need of material assistance, for which friendly counsel or restraint could not compensate. A logical application to the whole country is that two-thirds of its real or simulated destitution could be stopped by a more perfect adjustment of the supply and demand for labor, and a more vigorous and enlightened police administration. Dugdale concludes, from his study of the Jukes, that environment is the primary cause, and heredity is an organized result of invariable environment.

In an article entitled "Scientific Charity," in the Popular Science Monthly for August, 1889, Dr. Warner illustrates the importance of the empirical method as applied to charity. Scientific charity, as opposed to pure emotional philanthropy, regards poverty as an evil to be assailed in its causes; it does not merely pity poverty, but studies it. Thirty-four charity organization societies, representing cities containing one-eighth of our population, and probably one-sixth of its pauperism reported at the national conference in 1887. From careful estimates, it is supposed that these cities contained about 450,000 paupers. Over 62 per cent of this number actually came under the charge of these societies—that is, they had 57,000 families, containing about 285,000 persons, to deal with. Twenty-five of these societies agreed in classifying under four heads. By careful analysis of nearly 28,000 cases, including over 100,000 persons, the results were as follows:

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[1] See Social Pathology and Education in Report of the Bureau, 1889–90.

	Per cent.
Those needing continuous relief	10.3
Those needing temporary relief	26.6
Those needing work rather than relief	40.4
Unworthy of relief	22.7

As an example of the value of more elaborated figures, the results of the Buffalo society are given, on a basis of 1,407 families, including 5,388 persons. The chief cause of destitution was lack of employment in 263 cases, sickness in 326, no male support in 373, intemperance in 124, physical defects in 113, insufficient earnings in 87, accidents in 45, imprisonment of bread-winner in 35, shiftlessness in 26, and insanity in 15. Out of these 1,407 destitute families, the respective heads of 1,019 of them could both read and write; 49 others could read, but not write; and 339, or 24 per cent, were wholly illiterate. It is interesting to recognize that by this method the philanthropist, with the principle of enlightened self-sacrifice finds himself in accord with the economist, with his enlightened self-interest.

CHAPTER VII.

THE TWENTY-FIRST ANNUAL CONGRESS OF THE NATIONAL PRISON ASSOCIATION OF THE UNITED STATES, AT BALTIMORE, DECEMBER, 1892.

At the recent congress of the association at Baltimore there were about two hundred and twenty delegates present, coming from all parts of the United States and Canada.

There are three ideas that received special emphasis at the congress: (1) That there should be less sentimentalism, and sterner prison discipline; (2) that all prisons should be reformatory prisons; (3) that the surest method of preventing crime is treatment and care of children.

Another idea was that in the future the treatment of the criminal would be in schools, workshops, reformatories, and hospitals. There was most universal agreement as to the evils of immigration. But in order to have a fuller idea of the views advocated we give selections from the addresses of the speakers themselves.

Gen. Rutherford B. Hayes, president of the Prison Association, said:

From the time of John Howard down to the present day prison reformers have never enjoyed a large measure of popular favor. They have never been gladdened by any sudden, rapid, sweeping success of any part of their work in any country. If we limit our view to any one place and to any single point of time, we shall not be greatly encouraged by what we see before us. But with a juster and broader prospect we shall be stirred and cheered as we discover the beneficent changes which a few decades have wrought.

The true prison reformer labors to introduce the spirit of the golden rule into the whole territory of duty embraced in the great subject of criminal jurisprudence. The prime object is the protection of society and individuals by the prevention of crime. The means by which we seek to attain this end are—

(1) The speedy and certain arrest, conviction, and imprisonment of the guilty.

(2) The reformation of convicts by the valid reclaiming forces—religion, education, and productive labor.

(3) The permanent incarceration of all prisoners who are not reformed.

(4) The most effectual means to prevent crime is an unceasing, conscientious, and wise care in the training of the young.

I ask your considerate attention to a mere fragment of the argument which goes to the bottom of the real question, which is: How to prevent the formation of criminal habits, criminal tendencies, and criminal conduct in our American society? If you would prevent crime, the way is open, plain, direct, sure. The young—the young—their lives are the ancestors of all the mature lives that follow. Save, therefore, the young if you would rescue society from crime.

An able man of large experience has said nine-tenths of our convicts have been made criminals in character or intention, if not in overt acts, before they were 20 years of age. Therefore the training of the young is the most indispensable duty and chief business of every generation.

I must not leave the discussion of our subject without attempting to spread before you a part at least of the answer to the question: With all that the law and voluntary societies have done for the improvement of criminal jurisprudence in the United States, why do we not see greater and better results? My reply is that among our people of American birth and parentage a careful reading of the statistics for the past generation will show that crime has largely diminished and is still decreasing. Strike from the appalling catalogue of crime in our country all of the lawbreaking due to the immigration of recent years, and the claims of prison reform in the United States will be amply vindicated. The crimes of Europe are laid at our doors.

Five millions of immigrants in each decade are now landed in America. A high authority (Mr. Wines) places the number of the criminal and defective classes in the United States at one in a hundred of the total population. The proportion among the immigrants of recent years is believed to be much greater.

It has been estimated as high as thirty in a hundred among the inhabitants of some of the European countries from which in late years the emigration has largely increased.

One of the capital defects of corporations, trusts, and labor unions is their secrecy. Secrecy often leads to crime. For example, consider the crime of embezzlement, which has grown to be so common that we expect to see some marked case in every morning newspaper. It is mainly due to the omission of careful, constant, and thorough inspection of the work and accounts of all subordinates trusted with funds. This neglect does indeed lead men into temptation, and the managers of banks, railroads, and insurance companies must share in some degree the guilt of the men under them.

One remedy for this evil thus briefly sketched is found in voluntary associations of citizens interested in the welfare of their less fortunate fellow-men, where intelligent discussions are open, free, and public; where the press and its representatives are always welcome, and where the effort and the tendency are to counteract that indifference to the condition of the poor and needy which is at last the enemy most to be dreaded in a free country, namely, the apathy of good citizens with respect to the evils which do not seem directly to concern themselves.

Rev. Dr. Wayland said:

I shall not touch upon the obstacles existing in the nature of the prisoners, but shall limit myself to those which are found in the community at large. Although it is needless, so far as you are concerned, yet for my own guidance I will raise the inquiry, "What do we mean by prison reform?" We do not mean merely a reconstruction of the prison buildings, nor a replacement of the officials, nor the enactment of new laws.

We use the word prison in the largest sense, as embracing the whole of our penal machinery—prisons, officials, legislatures, governors, boards, cells, workshops. The purpose of the prison is not to punish but to promote the safety and welfare of the community, and that this safety and welfare can be subserved in the most economical and effective manner by the reformation of the imprisoned, humanity, patriotism, and economy speak with one voice. Prison reform, then, consists in removing from the prisons everything which conflicts with this design and in making the whole prison system an instrument for the permanent reformation of the criminal.

The first obstacle we meet is indifference or negative selfishness. We do not realize that these men belong to an increasing class who menace our homes and our lives, and who may easily menace our civilization and our existence. We do not realize that in mere money they involve an annual charge of $400,000,000, a sum which, turned into other channels, would mean employment for all our mills, demand for our products, wages and bread for a million homes.

We do not feel, because we do not know. In our ignorance we allow ourselves to believe that the criminal is merely a victim of ancestry and of surroundings; that he is forced to this life of crime by an inexorable necessity; that criminality is a disease, perhaps transmitted, perhaps contracted; that the criminal is not guilty but only unfortunate; that he is not an object of condemnation but only of commiseration. Every man is the resultant of three factors—his ancestors, his surroundings, and his individuality. No man can be forced into crime. The responsibility of the criminal must be divided among these factors. It is one of the most tremendous facts in human life that, by every action, every impulse, every thought, every temptation resisted or victorious, we are fastening not only ourselves but those who may come after us in remote generations.

Another obstacle to prison reform lies in positive selfishness. We want to make all we can out of the criminal. We want, as a prime object, to make the prisons self-supporting, so as to lesson our burdens. I believe it is possible, under the best management, to make the prisons pay their way, and this should be done in justice to the taxpayer. Self-support should never be an object at the expense of justice and humanity and the best interests of the community. We want to make all we can out of the prison for our party; and so men are put in because they can carry their ward, town, or county, and good men are turned or kept out to make room for the "workers" and the "boys."

In one of the States, recently, a superintendent with a national reputation resigned, it is said, under pressure, because he could not be used by the politicians. If this was so it was infamous, no matter what party was responsible. The spoils system is infamous everywhere, but when it takes possession of those departments which concern the public health, which concern humanity, which concern morals, when it dictates who shall be quarantine officer and who shall hold office in the State insane asylum and who shall be wardens in the penitentiary and the reformatory, then the spoils system is stained with blood and is an enemy of the human race.

Another obstacle to prison reform is self-righteousness. As we think of the men who are behind the bars we gather our garments about us, and we thank God that we are not as other men, or even as these prisoners. There is a strange disposition to condone the crimes which are gigantic, provided they be successful. We punish the man who steals a loaf; we hail the man who, by monopolies and corners in wheat, makes the loaf smaller and coarser in a hundred thousand homes. If a man steals a bar of iron we railroad him to the penitentiary; if he steals an entire railroad we say "a financier." I cordially hope that the labors of this society will result in the reformation of some of the present occupants of the cells, so that room may be made for the greater criminals who steal whole principalities of land, whole railroad systems, whole States, and who move in the first society and on Sunday morning sit in the broad aisle.

Another obstacle to prison reform is self-conceit. Nothing is so fatal to the attainment of excellence as a conviction that we have reached the serene heights, beyond which is nothing but vacancy and the stars. Ruts are the enemy of the human race. Many of these obstacles I might have summed up in the one word, conservatism, by which we mean a compound of ignorance, timidity, conceit, and selfishness. Its tendency is downward.

Another obstacle lies in our narrow views of the function of government. We think that the State has nothing to do with crime until crime has blossomed and borne fruit and sowed its seed for another crop. We permit, we encourage the saloon, which is making robbers, murderers, anarchists. We put the government of the city into the hands of the saloons. The best prison reform would be a reform that should make prisons needless.

Mr. Charles J. Bonaparte said, in part:

There are three ways in which we may deal with a bad man. In the first place, we may get rid of him altogether by death or exile. This system naturally commends itself to primitive communities. In all early society we find an enormously long list of capital crimes, and besides these a great number of punishments which are capital in everything but name.

The second system of dealing with our criminal brethren amounts substantially to treating them as valuable, but dangerous, beasts of labor. They are securely tied up and forced to work, not with any hope of bettering their condition by labor, nor from any appeal to their conscience or better feeling, but simply under pressure of fear. Although this plan keeps prisoners alive, there is in it no thought of reformation for them; on the contrary, its tendency is to make him, any day, more of a brute and less of a man.

From a purely commercial point of view in the eyes of the mere political economist, and, provided the sole object of human society be to accumulate wealth, much can be said in favor of this principle of treatment.

In modern times a third system has been devised, founded upon the theory that a bad man can be and ought to be made a good man by the very process which may also at once appease popular indignation caused by his behavior, and strengthen others when tempted to imitate him. This can not be applied to all men. There are some whom no form of penal discipline will ever make estimable or useful, or even harmless.

It is a defiance of common sense and a caricature of charity when a man who has passed most of his life in one prison after another for offenses involving great suffering to innocent people, vast injury to the vital interest of society, and profound moral turpitude is let loose again, to do once more what he has already so often done and been fruitlessly punished for doing.

Nor must we forget that, after all, the end of punishment is to punish. A prison should not be a hell, but it fails of its purpose if it is too pleasant for a purgatory. Is it just or consistent to tell a man "Thou shalt not steal, even to get thy dinner," and after, and because he has stolen, to see that he always has a good dinner? Is it right for the taxpayers to feed a rascal to the limit of his appetite while so many honest men go every night supperless to bed? Does this tend to make vice odious or to breed reverence for the law?

The report of the standing committee on criminal-law reform was read by Judge Wayland, chairman of the committee. It was as follows:

First among the causes which tend to promote the increase of crime we put unrestricted immigration. The year 1892 shows a large increase in immigration over 1891, and with the increase in quantity we have a decided falling off in quality. While the numbers are smaller from Great Britain and France they are larger from Hungary, Russia, and Poland. The contrast is still more striking and impressive if we compare 1892, or the last fiscal year, with 1882. We find, then, that for this decade the decrease in the number of immigrants from England, Wales, Ireland, and Scotland was 35 per cent; from Germany, nearly 48 per cent; from Sweden and Norway, nearly 37 per cent. During the same period the number of immigrants from Italy increased 90 per cent; from Poland 697 per cent; from Russia 416 per cent; from Austria and Hungary 174 per cent; while the falling off of immigration from all quarters in the same decade was a little over 21 per cent.

The inferences from these figures can not be evaded. We are, and for years have been, receiving the very dregs of European society, the scum of European cities—the destitute, the ignorant, the nihilist, the anarchist—by scores of thousands annually. A considerable proportion of the industrious and only moderately ignorant find employment on our railroads and other public enterprises. The residue settle down in our large cities, where the idle and shiftless add to the burdens of the taxpayer, the vicious and criminal are welcomed by congenial comrades, and the anarchist finds fit audience for his blasphemous drivel. The results of this disposition of the newcomers are most harmful. The unemployed and improvident soon succumb to their surroundings and drift into the ranks of the lawbreakers. Those who have secured employment have only lowered the rate of wages and added to the surplus of the laboring population. In a word, we have strained out the Chinese gnat at Golden Gate and swallowed the European camel at the Narrows. The new arrival also becomes the prey of the unscrupulous politician, and the more ignorant or vicious the more swift the surrender. The process of naturalization in our principal centers of population is a shameless fraud. The criminal, recently released or newly arrived, votes—and votes often—by the side of the honest citizen who pays his taxes that he may enjoy the adequate protection of a good government, and thus helps to make which he hastens to break. The evil is patent to everyone who will give the subject a moment's reflection. Year by year it is assuming more alarming proportions. If of late immigration has received a temporary check it has not been from dread of a contagion which endangers the life of the nation, but of a contagion which endangers the life of the individual. Let us be thankful that we have been for a season somewhat disinfected, morally as well as materially.

Another prolific cause of crime is the saloon. A largely preponderating percentage of our distillers and brewers, and the proprietors and patrons of our saloons, are of foreign birth or parentage. In the saloons criminals are made and screened. Here is the habitual resort of habitual criminals. Here the good become bad, the bad worse, the worse infamous. But does the law afford no relief? There is grim irony in the very question. The saloon hobnobs with the police whom its agents have appointed; smiles at and with the magistrates whom it has placed in office; rejoices in a mayor of its own selection; fears no hostile legislation from those whom it has sent to the State capital, and trusts to the executive veto. The respectable part of the community is called upon to move against the common enemy in solid column. There is, also, great necessity of child-saving legislation. The adult criminal must look to his laurels.

It is an outrage that the State permits the intermarriage of criminals, vagabonds, prostitutes, and imbeciles, thus becoming a party to the wholesale manufacture of criminals. It seems hardly rational to contend that the State has no right to prevent the probable from becoming the positive criminal. The peril confronts us. The remedy is in our hands. It is simply to take such children as we have described from the custody and contamination of their parents or keepers, and after caring for them during their helpless infancy, transfer them to the fostering care and humanizing atmosphere of real homes, and to the influence of associations of Christian civilization.

The discussion of the report was opened by Rev. F. H. Wines with the objection that it was both impracticable and ineffectual to attempt to prevent the marriage of paupers and felons. The State, he said, could not interfere in this purely personal relationship.

Judge WAYLAND. The remedy is not absolute, only approximate. The habitual criminal and habitual pauper should be confined for life, the habitual and incorrigible drunkard until a committee decides him well enough to be released.

Mr. WINES. Would the gentleman advocate legislation as to the qualities which should be proven by those applying for marriage licenses before such licenses were issued?

Judge WAYLAND. Such legislation would be ineffectual.

Gen. BRINKERHOFF. The last suggestion in the report is the most important. It relates to the children, and there we must put larger efforts. Our public schools and institutions do not go far enough. They should be made more like kindergartens, which, I think, do the greatest good in this work.

Mr. ROSENAU. The pauper as such is no criminal. How can we incarcerate him?

Judge WAYLAND. Abolish outside assistance and send him to the almshouse. Keep him there until he shows that he is capable of earning a living.

Secretary MILLIGAN. We might get up a bill to pension aged paupers. Such a bill was introduced in England. Pensions seem very popular here.

Mr. LUPTON. The total lack of the knowledge of any trade is a great source of criminality among the rising generation. This is due in a measure to trade organizations, which prevent young people from learning a trade.

Gen. FOSTER. The point is not well taken. Boys are criminals before they come to the age to learn trades. Trade unions control certain trades, but every honest and industrious man in this country can earn an honest living if he so wishes.

Mrs. DALL. I know nearly 300 honest men—able bodied and healthy—who are hunting work. Where can they get it? They know no trade, but would be glad to work. I would be pleased to see a Congress that would provide work for the unemployed.

Gen. CHAMBERLAIN. Knowledge of a trade prevents crime. If more men had a settled occupation there would be less crime. Saloons play a most important part in crime. This demands heroic treatment. I would have rum free and divide cities into districts. Or if not, and men became drunkards, then confine them until cured and make the saloons support the man's family.

Judge FOLLETT. Criminals among boys do not come totally from the poorest class. I am poor, move among the poor, and know whereof I speak. Children should not be taken from their parents or homes. Christian men and women should go to them there. There are countless honest, industrious men who can not get work and are forced into crime.

Rev. Dr. PROUDFIT. A great source of evil is the publication of this cheap and dangerous literature. Could this not be stopped?

Mrs. Gen. FOSTER. The debate has taken a wide latitude. The report is on criminal law reform. These publications are a matter pertinent to the question, as is also the saloon. I fear the former more than the latter. The first you can detect easily; the latter is hidden until your boy is totally corrupted.

Rev. Dr. BAIRD. Crime is often the direct result of teaching, or, at least, of not teaching the saving truths of Christianity. Christianity is a part and parcel of the common law.

Judge WAYLAND. The committee is neither omniscient nor omnipotent. We make certain suggestions, and leave them to you for thought and debate. I see nothing impracticable in any of the suggestions of the report, which, I think, covers most of the questions. I agree with much that has been said. I think that no honest, industrious man will have much dfficulty in getting work. Many of the foreigners that pour into this country year by year can do it, and they are only common laborers. Contract laborers are kept out.

Capt. Nicholson sent a communication offering his resignation and giving his reasons for so doing. It was read by Capt. E. S. Wright, and was as follows:

The Wardens' Association for the Registration and Identification of Criminals was organized March 8, 1887, nearly six years ago, and started out with the approval of every good citizen having any knowledge of its objects. For some time I have been haunted with the query, "Whither are you drifting?" To which I can only answer, "Into the quicksands of sentimentalism." The indifference of prison managers generally to anything nonpolitical is marked. This seeming indifference can not be congenial to many of them, but the ascendancy of their party to power, so far has outranked all other considerations; hence, the difficulty of getting a full and complete membership. We appealed to every governor of every State and Territory in the Union to coöperate in perfecting an organization that offered to fill a much-needed want; we backed our appeal with facts that could not be gainsaid, but there was no response. Scientists are striving to probe the whole question of penology to the bottom, and thereby find a remedy for even a partial cure. This association offers a key to the great problem by showing the crime-producing causes, whether inherited, inbred, or imbibed from environment, which would remove all guesswork in prescribing for its healment. The "Bertillon" system for the registration and identification of criminals is widely different from any of the claptrap schemes of detective agencies. It is a powerful factor in checking the growth of crime, and an aid in all reformatory efforts. Under it identification of all former criminals would be certain. United action by a majority of prision managers would speedily give us a law in every State, and by Congress, making this system available. And now, after nearly six years of faithful effort to bring all the wardens of the United States into our association and secure their active coöperation in furthering its work. I must confess that we have failed. I deeply regret the failure.

A paper on "Some Features of Prison Discipline" was read by Capt. E. S. Wright, warden of the Western State Penitentiary, Allegheny, Pa. It was as follows:

It is admitted that the records show an increase in serious crime and a growing disregard of the sacredness of human life; from this it is argued that existing methods of repressing crime are not as effective as the requirements and importance of the case demand. This country, more than any other, should be able to arrange and control its own internal affairs; and any means devised by lawful authority to maintain the peace should receive loyal and manly support from every well-wisher of his country. It must, however, be apparent to every one that contrary feelings and sentiments held by a portion of the population may become a danger to society. This is not an extreme view, if the prison and criminal records be taken as evidence. Beyond the records of crime, other evidence shows that many unworthy and undesirable immigrants have been sent here. The paupers and criminals thus sent to us are very largely the cause of our increased prison and pauper population.

It is generally understood that the prisons of Great Britain and Ireland are steadily diminishing in population, but the causes for this remarkable result are not clear to all. The credit should be given to a system adopted about fifteen years ago, placing all the prisons under a centralized control for each country, with exactly the same rules and regulations governing control, labor, food, and clothing. Every item seems to be cared for, and the discipline is rigid and stern. It is the general belief that serious crime has diminished, but it is apparent that the vast number of petty offenders and habitual criminals has created much uneasiness, and severer treatment for such seems probable, as it is thought to be the only satisfactory solution of the matter. There is a feeling of distrust that the prevailing system of leniency in Great Britain for minor crimes, especially, has been a great mistake. Over a million of arrests are reported for 1891; of these 255,314 were committed to prison, but, as many were repeated crimes, in the same year only 137,000 persons were committed. Of these, 12,380 are reported as felons and 10,100 as habitual petty offenders. This class, it is claimed, is a menace to society. Earnest men say, "Why hesitate to seclude a class defined as a constant danger to civilized life?"

The history of American prisons shows constant progress in the treatment, and clemency has marked the course of justice; yet it has to be admitted that crime and vice have increased in greater ratio than the population of the country. We are, then, brought to this conclusion, that prison discipline must be placed on sterner and more repressive lines to be deterrent. The conditions are such that the benefits of centralization are not applicable, nor are some items of administrative control and discipline, without a change in existing laws.

We have too many prisons, such as they are. The old form of county prisons has ceased to be necessary since conveniences of travel are universal and distant points are easily reached. Instead of county prisons of many kinds, a few district prisons, regardless of county lines, governed and organized in the same way as the State prisons, should take their place. The change would be at once a relief and check to much moral corruption. Some of the county prisons could be used for female prisoners, the criminal insane, or as police stations.

As a condition precedent to success in prison administration and reform, a good staff of officers is required. Conditions of prison control vary greatly in the different sections of the United States, and no general lines seem likely to be laid down that can be absolutely followed as they read. But any line of treatment which provides for steady and deterrent discipline must carry with it a recognition of the fact that the nearer prison treatment agrees with the conditions of free labor, the fewer will be the causes of discontent. In free shops the employer pays for labor done; the workman keeps himself. So when prisons pay as strict attention to all details—credit for every hour of labor and charge for every hour of idleness—and not till then will the problem reach a proper solution. Upon this basis a true classification should be made and useful labor given.

At the conclusion of this address Mr. Crawford asked this question: "How would you discipline an incorrigible boy of 15 years?" Captain Massie replied that he would use all means of persuasion and gentle treatment, and if that failed, would whip the youngster. This met with much approval.

Hon. Carroll D. Wright, United States Commissioner of Labor, spoke on "The relation of economic conditions to the causes of crime." He said in part:

Criminology is divided, according to science, into several distinct and separate divisions. To fully understand it, one must make a thorough study of penology, theology, and economics. A man commits crime largely through environment or associations.

Scientists have asserted that certain brain formations are always necessary to the commission of certain crimes. But this is not always so. If it were, the study of the various sciences already mentioned would be useless and unnecessary. I am in sympathy with the views of scientific criminology. I believe the criminal to be an undeveloped man, morally and mentally. We are, however, obliged to consider the criminal as acting under free will, a free agent, with the object of satisfying a want and a desire. Hence, in all discussions of economics all great questions resolve themselves upon the labor question.

The world has seen three great labor systems—the feudal, slave, and wage systems. Under the former system the serf had no hope; hence history tells us of bands of thieves and robbers that flourished then. The negro slave was physically comfortable, had hope, and crime was comparatively scarce. In early days criminality grew out of physical want. Hunger leads men to commit more petty crimes than anything else. The great question is, How shall poverty and criminality be abolished? As the condition of the laborer rises, pauperism and criminality fall. The evils we are considering have always existed. Employment of the unemployed will not stop pauperism or crime; education will not, Christianity will not, but all these combined will work together with great powers for good, and will go far.

Education is better than the code of criminal laws. Those engaged in the most skilled labor are less likely to become paupers or criminals. Of 6,958 homicides in this country in 1890, over 5,100 had no trades. During periods of industrial depressions crime flourishes most. The lines of crime rise and fall with the lines of prosperity. Political economy is largely the law of demand and supply. This also bears directly on crime. If the supply is greater than the demand, the weaker industrial houses fall, and burglary and theft breaks out among those thus cast out of employment. Strikes, lockouts, etc., as in the case of the great iron mills in Pennsylvania, make tramps and compel weak consciences to commit crime. Social science teaches political economy. The good health of the people is unfavorable to crime. Sanitary measures are essentially of the nature of social science and political economy. Bright, healthy homes lead to education, industry, and morality.

The solution of the temperance question is an economic one. When employers of labor demand absolute temperance as a condition of employment, a great step has been taken in the right path. Anything bringing on high mortality among children tends to the commission of crime. Insomuch as poverty is lessened, crime is lessened. The undue subjection of the laboring man produces crime. As intelligence increases man wants more, has greater desires and aspirations. With the advance of civilization the condition of labor is elevated and society relieved of many criminals. Whenever there is a sincere desire among employers to secure an equitable division of profits, the employed become better citizens. With continued improvement in the economic condition of the laborer will come better results.

Mr. Wright was followed by Rev. Frederick H. Wines, who said:

Every man must restrain himself or be restrained. The history of progress of the negro slaves showed that when freed from restraint they leaped into crime. The American people have learned how to govern themselves. Both the labor and crime questions are one of restraint. At one end of society are men who will not work. They think the country owes them a living, and they steal. At the other end are those who will not pay adequately for work. These two wants of restraint bring on the conflicts between capital and labor. Until the labor question is fairly settled we can not look for a lessening of crime.

Mr. Brockway said that few young criminals had ever thought of trades. It was now difficult to learn a trade because of two factors of society. The first is the factory system instead of the apprentice system, and the other is the speculative spirit of the youth of the day. He said he was interested in the idea of introducing industrial training into all the common schools. Too much time was devoted to letter studies. Experiments had proved that just as much could be drilled into a student in half the time now used.

A matter of interest was the report of the standing committee on police force in cities, by Maj. R. W. McClaughry, general superintendent of police, Chicago. He said:

In presenting the general report upon police organization and work, your committee has thought best to limit its inquiries and observations to three points, viz:

(1) What has been accomplished in organization of police forces and the improvement of police methods to this date?

(2) What obstacles or difficulties present themselves to further improvement?

(3) What is the outlook for the future, and what is demanded of the public in regard to police systems and management?

In no other department or province of the government does the representative of the law stand in such varied and constantly changing relation to the citizen as in the police department. Public opinion, crystallizing through the press constantly into a sort of unwritten law, is daily adding to the number and character of the policeman's duties.

He is expected to know the law thoroughly, to be able to apply it to all the cases coming under his notice with unerring accuracy. He deals with a class of persons who in most cases are enemies of the law, of which he is representative, and who are ever ready with false witnesses to dispute his statements in court and thwart by every possible means his attempts to bring the guilty party to justice, Much has been accomplished in the organization of police forces and improvement of methods within the latter half of the present century. The chain gangs, the lash, the pillory, the indiscriminate herding together of the sexes, are things of the past. The neglect of injured, infirm, or insane people on the part of police officers no longer exists. Distribution of the police force in our cities into squads and companies and divisions, with proper superintendent officers over each, responsible to another in authority, has been productive of better discipline, and has resulted in vastly improved service. The adoption of the patrol wagon has turned away great reproach from the force. The adoption of an ambulance system and the relief corps, one of the improvements of late years, has added materially not only to the efficiency of the force, but to its popularity. The abolition of the antiquated methods of detective service and espionage which offered premiums to perjury and falsehood has removed much of the ill feeling of other days.

The introduction of the police telegraph and telephone system has much to do with the improvement of the service, and has not only brought the police departments of our various cities into more harmonious relations with the public, but has inspired the latter with a degree of interest and confidence in the force to which the foregoing years were strangers.

No police force can meet the duties required of it or answer the expectation of the public where the members of it are controlled either in their appointment or in the discharge of their duties by political considerations. Where the alderman is encouraged in demanding that so many appointees shall be taken from his ward and selected by himself, it is useless to expect from these appointees faithful service and loyalty to the head of the department, unless the power behind the throne, to whom they recognize themselves as indebted for their appointment and continuance on the force, is in harmony, politically, with their superiors. The trouble which this state of things produces manifests itself in a thousand ways. Orders are evaded or neglected; abuses are ignored or winked at; crimes are permitted to go unpunished. Numberless wrongs and outrages of a more petty character go unreported, all because between the head of the department and the officer stands the politician with his open promises or secret assurance that neglect of duty will be condoned, thus paralyzing the operations of the force in the most effective manner.

Another great obstacle to effective police work is the lack of such systematic classification of the prisons or places of detention as will prevent association with each other of persons detained for trial, and will permit the complete separation of all misdemeanants from felons, and all first-offending criminals from adult habituals. The third obstacle to the success of police work exists in the system which permits examining magistrates, or police justices, as they are called in many cities, to receive fees for taking bail of arrested prisoners, and for continuance of their cases in court. Too much stress can not be laid, also, on the condemnation which should be placed on the receiving of bonds without making careful inquiry into the reliability of the bondsman. The professional bailer is frequently a straw bailer, and many a criminal goes free through lack of scrutiny on the part of the magistrate into the character of the bail he receives.

But all these results would be accomplished in time if our police and penal systems can be taken out of the hands of the politicians and run solely and exclusively upon their own merits. Whether it will take one century to arouse our people to the necessity of such action as will produce this result is a question. But, whether it takes a longer or a shorter time, it is the duty of associations like yours to din it into the ears of the public and trust to Providence for the result.

In his report on prison discipline, Capt. Massie, of Toronto, said:

It is difficult to get efficient wardens—that is, men who thoroughly understand and are imbued with the spirit of prison discipline. The warden must be given wholly to the work. If he fails to stamp his institution with his own characteristics it is clear that he has no predilection for his work. This is always a test. He must also stamp his best characteristics on his wards, the prisoners, and also on his subordinates. Lax discipline is one of the greatest evils in any such institution. There must be strict discipline and deportment or the institution fails in its work. If the warden does not raise the men by his treatment he will descend to their level, or perhaps lower. In Canada we compel the men to become subservient to the rules in all things. I think that industrial pursuits in such institutions are absolutely necessary. There can be no reform, no progress among young men unless both hand and head are busy.

Never punish a prisoner when you are angry or when he is angry. I think confinement in a dark prison is debasing, unhealthy, and worse than useless. Corporal punishment, if judiciously applied, works most advantageously with us.

Mrs. E. C. Johnson, superintendent of the Women's Reformatory, at Sherborn, Mass., gave a short description of the workings of the institution she represents:

Prisoners are received and graded according to merit. First they are put in a probationary grade, so as to study their dispositions, and when this is defined they are assigned to such task as will best befit them. Their work is not rated according to the quantity, but by the spirit and the temper with which it is accomplished. They are afforded many privileges as they advance in these grades, which always contain the greater number of the inmates. proving conclusively that they appreciate these benefactions. Every effort is made to keep them cheerful and hopeful, yet they are kept under strict discipline.

Of the methods of reformation, Mrs. Johnson said:

Criminals are interesting characters. The idea of reforming them, however, is of recent date. It was only twenty-five years ago that we realized that a prisoner again became a citizen; hence, reformation not only became general, but is possible. Punishment will not reform our fallen brethren. We must arouse their aspirations, and make them withstand temptation. To do this, however, we must have purposes of definite methods, and these must be based on sound principles.

There is always some good in every soul; and while it may lie dormant, yet we must stand by this good quality and encourage it. Prisoners are virtually dead to the world, and they feel their positions very keenly. They deem their self-respect gone, and with these thoughts it is a hard task for either man or woman to work out their salvation alone. We must believe in them, and by stirring up their hearts they will believe in us. It is hard work for any one who is down in the graces of the world to rise unaided.

The two great schools of vice for the young, as well as the old, is the publication of crimes in the secular papers, and the keeping open of the courts of law, where all the vice of the world is ventilated for the so-called benefit of the public. Murders and crimes are discussed, with a few honorable exceptions, in the secular press, with startling vividness, and a sketch of the criminal published likewise. It is our task to set our faces against these evils.

Mr. Johnson spoke as follows:

The reform schools, although they are far from perfect, are doing a vast amount of good work. We have thousands of citizens occupying useful and honorable positions who are graduates of these reform schools. But our penal code, or our prison system, rather, as far as I have been able to observe, has not been adapted to the principles of reformation, which our Constitution asserts to be its legitimate basis. Our theory of punishment seems to be a purely commercial one, although its commercial basis is not the strictly one-price plan.

It seems to me that before we can call our reformatory work more than begun we need as to misdemeanants, first, longer sentences, perhaps progressive or cumulative. If, for instance, the first conviction for drunkenness or disorderly conduct be short, but sharp, and without the option of a fine, it would be more salutary. I believe that in our State such a law would increase but little the number of prisoners, while it would enable us to dispense with much of our police force and in a few years close up several dozen orphan asylums and diminish pauperism fully one-half. The prisoners who remain for longer periods in prison should be taught and made to work. The best punishment is the cat or whip, administered in kind seriousness by the chief officer of the prison. The objection to physical treatment is a purely sentimental one, and is based on an alleged condition of nervous susceptibility, which rarely exists in the convict, who knowingly subjects himself to it. There is serious need for classification. We treat all alike—the corrigible and the irreclaimable, young and old, recruits and veterans. Then, again, no prisoner should be allowed to return to society until he is fit to do so with safety to that society. There should also be juvenile reformatories, where the young should be incarcerated and treated, freed from the baneful influence of the older and habitual criminal.

A paper read was on "The Work of the Prison Physician," by Dr. Hamilton D. Wey, of Elmira, N. Y., who is chairman of the committee on that work. He said:

Without entering into a detailed description of the necessary qualifications of prison physicians, it may incidentally be stated that they are of two kinds—professional and nonprofessional. In regard to the former, he should be well grounded in his profession, familiar with the general practice of medicine and surgery, possessing a knowledge of mental disorders, and of sufficient acuteness and discernment of observation to differentiate between true and feigned disease, fictitious and factitious affections. In addition, he should not be so much of a student and absorbed in his profession as to lose his interest in and to leave himself no time or opportunities for general study of men and affairs. In the exercise of his daily duties and contact with the men under his charge he should, in a true scientific spirit, accept humanity as it is, and not as he would have it, and evince a familiarity with the thoughts and ways of men who, consciously and unconsciously, are in a state of opposition to society, and this can be done without sacrifice of dignity and impairment of his influence.

Dr. Wey spoke of the attempts at deception practiced by prisoners. "Great care should be taken in the treatment of the prisoners, both in administering medicine and withholding it. The physician should be absolutely free from all outside influences. Relatives of prisoners are especially dangerous, as they are anxious to secure his recommendations for light jobs or soft positions for their imprisoned relatives."

Dr. J. B. Ransom, of Dannemora, N. Y., spoke of grades in prisons. He said:

I believe that all prisons should be graded into first, second, and third grades, with each prison a grade by itself; the first-grade prison to have for its inmates a class of convicts who, by reason of their former life, natural qualities, or acquired mannerisms, or who, by meritorious conduct or conformity to discipline in other grades, have earned a promotion to the first, and hence can be rather safely trusted to receive benefits not at all practicable to the whole en masse. The second-grade prison should be constituted of that class of men who, while not entirely to be trusted with the privileges of the first, are at the same time not absolutely bad men. The third-grade prison should be the incorrigible, and consist of men who have been expelled or exfoliated from the two grades above. The industries, officering, clothing, and food should correspond with the consistent requirements of each grade. I also think that modern prisons should be built with larger cells. No cell should be less than 7 by 10 feet, and should be furnished with light and water, and well-ventilated. Every prison should have isolation quarters, not composed of dark cells, for such are unwholesome, unhealthy, demoralizing; but light, well-aired cells, where incorrigible and stubborn prisoners can be confined and separated entirely from all their fellows.

Dr. Ransom was also in favor of corporal punishment in some cases. In reformatory institutions for the young he thought it almost indispensable.

Mr. Warren F. Spalding, of Boston, secretary of the Massachusetts Prison Association, read a paper upon "The Misdemeanant," who, he said, was generally the drunkard. He said:

The habitual misdemeanant is not interrupted in his career so long as he has money to pay the penalty, and when he is imprisoned it is not because he has been drunk a hundred times, but because he is poor. Carefully discriminate between the man who is occasionally drunk and the habitual drunkard. If he belong to the former class, take his record, warn him of the danger of repeating his offense, and let him go. If he is an habitual drunkard, imprison him permanently for his own protection, the relief of his friends, and the advantage of society. When he is imprisoned try to reform him. If he is a dipsomaniac he needs medical treatment as much as does the man afflicted with any other mania.

But there are thousands of men who drink without appetite, merely for good fellowship, or from habit, or because they know of no other place of amusement than the saloon or any higher gratification than getting drunk. The dipsomaniac should be treated in a hospital, the other habitual drunkards in a reformatory. Both need substantially the same treatment, aside from the administration of medicine to the former. They all need hard work. If hard work can not be found, severe compulsory gymnastic exercise should be used for the same purpose. Give him nourishing diet. Whatever can be devised which will strengthen his will should be used. Compulsory education, with a mark system behind it, will do much.

Dr. Jacobi, of New York, spoke on brain crime and capital punishment:

Every individual or collective labor derives its justification and dignity from its effect. Unless there be a result that labor is idle and superfluous, and the vital or intellectual force bestowed on it has been spent in vain. With the intelligent and thoughtful the effect is not an accident, but a practical aim, reduced after mature forethought and well-defined exertion. The worthiest practical aim of all is the perfection of mankind. I take it that this association was founded with a view of contributing its share to attaining that end.

Every race of men has a certain type, but no two individuals of the same type are identities. What is now, with all this variability, the underlying equality, particularly as to the human mind? And what are the requisites that established its normality? First, there must have been ample building material in its embryonic and fœtal period; second, no arrest must have disturbed its development; thirdly, it must not have suffered from a disease, either before or after birth, which terminated in persistent changes; fourthly, the composing parts of the brain must have been developed simultaneously and equally; essential organs and functions, particularly reasoning power and will, must not be disturbed. Still these conditions are not fulfilled equally well in all instances. If they were there would be more uniformity, perhaps tedious uniformity. If, however, they be not complied with within the great latitude always afforded by nature, we have to deal with a morbid condition of either organs or functions, or, what is most common, both. However great the number of hitherto unrecognized anomalies in the brain will become in future, they will belong to two large classes, such as inflammations and humors.

To these two classes belong the local disorders which have been found in the brains of criminals. They have been denominated criminal brains. The constitutional criminal is a tainted individual, and has the same relation to crime as the epileptic to convulsions—he can't help it. The essential reason of abnormal brain action is abnormal brain structure. The application of these facts is likely to create a veritable revolution in ethics, psychology, and jurisprudence. I can not go so far as to believe in a special type of criminal brains. Crime is not an entity, an absolute and well-defined manifestation of the same kind and tendency; it is as manifold as human instincts or tendencies in general. The same changes which have been claimed for crime are those of insanity. Insanity is the field in which crime may grow. Facts go very far to intimate that crime is apt to be insanity plus its danger to society.

Among criminals a great many anomalies have been observed. They refer mostly to the shape and structure of the head and brain, and to the functions of the system of circulation. The prognostic shape is quite frequent. The eyebrows and the underlying arches of the frontal bone are often excessive, the bones in general are thick, and the occiput is oblique. This much is certain, that in criminals either very large heads or very small heads have frequently been met with. The occiput is often flat, the forehead reclining, and wrinkles of the coverings of the soft parts quite frequent. Hair and beard are often scanty, the nose irregular and inclined to one side, the eyes large. The eyelids are in close proximity to the nose, the iris pigmented and defective, its color varying in the two eyes, and the pupils not centrally located. The nails of the fingers and toes are malformed; so are the feet. In many, blushing is not infrequent, tobacco and alcohol not tolerated, and fainting spells and convulsions frequent.

Many of these anomalies, however, are met with amongst noncriminals. Still, when there are many of such in the same individual, we must not forget their connection with and dependence on the condition of the nerve centers. Disturbances in the nature and functions of any vital organ do not always require grave causes. Slight changes in circulations, particularly when they persist, are sufficient to create an irritation. The higher an organ is in the vital scale—for instance, the brain—the more readily will it submit to essential alterations. From this lecture you can draw the following summary: The function of an organ depends on its structure and composition, the changes of functions, or changes in structure. The intellect, reasoning power, judgment, and will powers are located in and dependent on the construction of the large hemispheres of the brain. They do not exist where there are no hemispheres, are defective when the organ is inefficiently developed, and are apt to be morbid when the hemispheres are diseased. The anomalies of the hemispheres are either arrests of developments or acquired alterations. The first are all prenatal, the latter are either contracted before birth, during birth, or during life.

The effects of a disease do not show themselves uninterruptedly, just as a malarial fever does, nor always exhibit its high temperatures, and its chilly, acquired alterations may not be always evident or perceptible to everybody. As the influence of alcohol on the system may change the structure of the liver, heart, kidney, and brain to a dangerous degree, though it can not yet be recognized, so the influence on the brain, which is erected for instance by training and education, and by habits, is positive, though it can not always be appreciated or calculated. Therefore, diseases are not always recognizable. The effects of structural changes of the brain, from whatsoever cause, are either feebleness or perversion. The many forms of insanity, both intellectual and ethical, are thereby explained.

Insanity, as well as that form of aberration which is called criminality, is not possible with a normal brain. Neither form of aberration, insanity and crime, depend on an invarible and identical alteration. Therefore, there is no special type of insanity or of criminality. Thus, again, the recognition of either, or of its physical causes, is rendered difficult. There is but one thing fixed; that is, the relation of causes and effects, the correlation of physical causes, and mental and moral symptoms. What we have most to fear is that even in our time, while punishment still means retaliation or retribution, we are in constant danger of not recognizing the physical cause of misdirected cerebral action, called crime. The grossest errors have been committed in that respect.

If only one mistake were made in a hundred convictions and death sentences, society could not afford to make that mistake. You and I may blunder, but the state can not afford the brutality of capital punishment as long as the convicted criminal is certainly anomalous, possibly diseased. The place for transgressors is the place of safe keeping. Let us have done with killing. Let us see to it that the new century may have no reason to look upon our shortsighted barbarism as we review with painful awe the century of the torturer and witch-burner.

Mr. Round, of the committee on discharged prisoners, said:

We have been working in New York to clean out the professional discharged prisoners—those who beg, lecture, or make a living by using this as an argument. We have also worked hard among the discharged prisoners, who have, under the old method of conducting our prisons, never learned and have no trades. Our work has been successful.

He was followed by Rev. Louis F. Zinkhan, who sketched the work in this line at the Maryland penitentiary. He called attention to the institutions of reformation that have been established through its efforts, where are now confined a large number of youthful incorrigibles, who had formerly been most unjustly and inhumanly thrown into the penitentiary, with hardened criminals. Many reformed ex-prisoners have contributed to the funds of the association. Mr. W. F. Spaulding, of Boston, spoke of the work in his State. He said that the Prisoners' Aid Society of that State rarely gave money direct to discharged prisoners, but bought tools and implements necessary to the carrying on of their trades. They were also given some education, where such was necessary. He said that the practice of giving money to prisoners upon their discharge which they have not earned while in prison is demoralizing and totally wrong.

Mr. John S. Lytle, of Philadelphia, said that members of the aid society in that city met discharged prisoners at the gate and saw them safely to their homes or out of the city. This worked well, as otherwise these men might be met by former evil companions and again led astray. The society furnishes these men with clothing and with tools.

Gen. Chamberlain said that it was the policy of the State of Connecticut to send her discharged prisoners out without a brand to mark them, to give them tools, and try to get them places, to keep them separated as much as possible, and under this treatment fully 65 per cent never return to the institutions. Reformed criminals are a great gain to the community. Some are men of means, and hold public offices of trust with credit.

CONCLUSION.

The most important lesson of the Congress we consider to be the prevention of crime by the proper care and treatment of children. This is preëminently a question of education. It may not be out of place here to speak briefly of the scientific study, cure, and prevention of crime in its vital relation to education. The method of study is an investigation of the criminal himself, both mentally and physically, so that the deeper and constant causes of crime can be traced. There is no other rational road to the prevention and repression of crime. Whatever the remedy, causes must be studied first. Negative results are as important to science as positive results. If it could be shown what crime is incurable or what degree of reformation can be expected, that would be valuable knowledge.

If, as Lombroso thinks, crime is a return to the primitive state of our ancestors, the criminal being a savage born into modern civilization, then for such there is little hope for reformation. But they are criminals by nature and constitute a very small proportion, less than one-tenth. The French school of criminology has shown that the greater part of crime arises out of social conditions and hence is amenable to reformation by the changing of these conditions. The motto of one of the best reformatories in the world (Elmira) is: "No man, whatever his offense, ought ever to be discharged from restraint except upon reasonable evidence that he is morally, intellectually, and physically capable of earning a livelihood."

D'Olivecrona, author of a French book on habitual criminality, asserts that three-fourths of those who enter prison have been conducted to crime from the results of a neglected education.

Now, education, in the sense of intellectual instruction alone, is not adequate to reform school children who spend most of their time on the street or with criminal, drunken, or idle parents. Some of the inmates of reformatories are practically incorrigible on entering. It is expected of the reformatories to erase the indelible criminal impressions upon children from birth, or before. Instead of deserving criticism, it is surprising that reformatories do as much as they do. No great decrease in crime is to be expected until children receive the moral and social education of a home or home-like institution. But much remains to be done after a child has had this good start. The means of prevention from this time on consists in moral, mental, and physical training, that is education in the true sense.

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[1] This and the following dates designate the years in which the congresses of the association were held.

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